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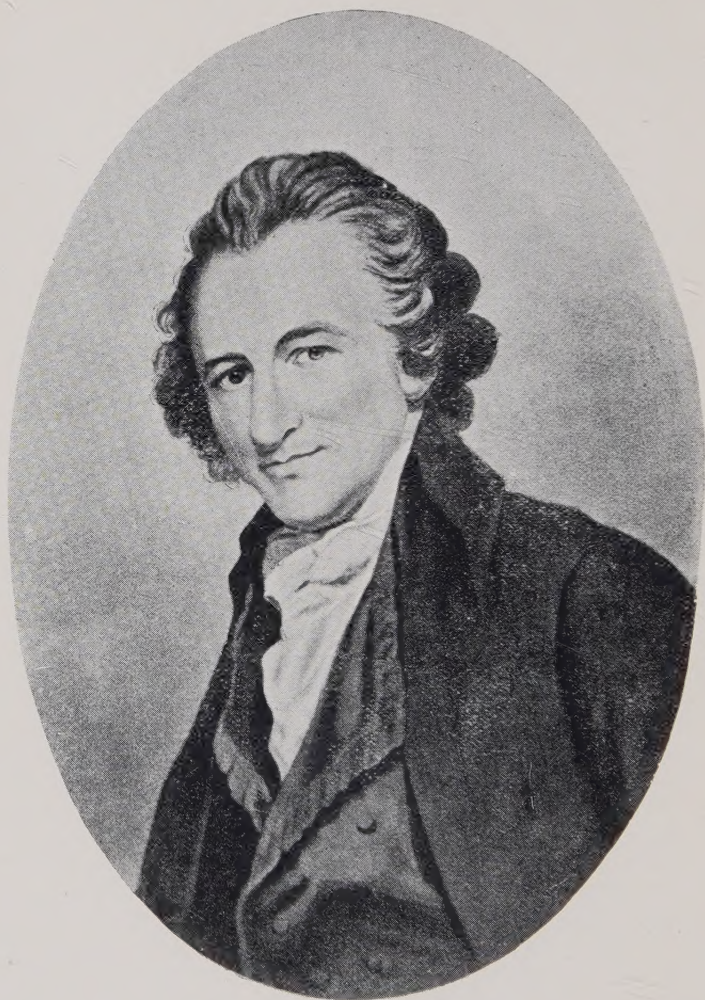
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Thomas Paine

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RIGHTS OF MAN

BEING AN ANSWER TO MR. BURKE'S ATTACK
ON THE FRENCH REVOLUTION

BY

THOMAS PAINE

SECRETARY FOR FOREIGN AFFAIRS TO CONGRESS IN THE
AMERICAN WAR, AND

AUTHOR OF THE WORKS ENTITLED "COMMON SENSE" AND "A LETTER TO ABBÉ RAYNAL"

EDITED WITH INTRODUCTION AND NOTES BY

MONCURE DANIEL CONWAY

Author of "The Life of Thomas Paine," "The Writings of Thomas Paine"
"Omitted Chapters of History Disclosed in the Life and
Papers of Edmund Randolph," etc., etc.

G. P. PUTNAM'S SONS

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VOLUME II.

(It has been thought advisable to preserve in this volume the folioing of the complete edition
of the work.)



XIII.

RIGHTS OF MAN.

EDITOR'S INTRODUCTION.

WHEN Thomas Paine sailed from America for France, in April, 1787, he was perhaps as happy a man as any in the world. His most intimate friend, Jefferson, was Minister at Paris, and his friend Lafayette was the idol of France. His fame had preceded him, and he at once became, in Paris, the centre of the same circle of savants and philosophers that had surrounded Franklin. His main reason for proceeding at once to Paris was that he might submit to the Academy of Sciences his invention of an iron bridge, and with its favorable verdict he came to England, in September. He at once went to his aged mother at Thetford, leaving with a publisher (Ridgway), his "Prospects on the Rubicon." He next made arrangements to patent his bridge, and to construct at Rotherham the large model of it exhibited on Paddington Green, London. He was welcomed in England by leading statesmen, such as Lansdowne and Fox, and above all by Edmund Burke, who for some time had him as a guest at Beaconsfield, and drove him about in various parts of the country. He had not the slightest revolutionary purpose, either as regarded England or France. Towards Louis XVI. he felt only gratitude for the services he had rendered America, and towards George III. he felt no animosity whatever. His four months' sojourn in Paris had convinced him that there was approaching a reform of that country after the American model, except that the Crown would be preserved, a compromise he approved, provided the throne

should not be hereditary. Events in France travelled more swiftly than he had anticipated, and Paine was summoned by Lafayette, Condorcet, and others, as an adviser in the formation of a new constitution.

Such was the situation immediately preceding the political and literary duel between Paine and Burke, which in the event turned out a tremendous war between Royalism and Republicanism in Europe. Paine was, both in France and in England, the inspirer of moderate counsels. Samuel Rogers relates that in early life he dined at a friend's house in London with Thomas Paine, when one of the toasts given was the "memory of Joshua,"—in allusion to the Hebrew leader's conquest of the kings of Canaan, and execution of them. Paine observed that he would not treat kings like Joshua. "I'm of the Scotch parson's opinion," he said, "when he prayed against Louis XIV.—'Lord, shake him over the mouth of hell, but don't let him drop!'" Paine then gave as his toast, "The Republic of the World,"—which Samuel Rogers, aged twenty-nine, noted as a sublime idea. This was Paine's faith and hope, and with it he confronted the revolutionary storms which presently burst over France and England.

Until Burke's arraignment of France in his parliamentary speech (February 9, 1790), Paine had no doubt whatever that he would sympathize with the movement in France, and wrote to him from that country as if conveying glad tidings. Burke's "Reflections on the Revolution in France" appeared November 1, 1790, and Paine at once set himself to answer it. He was then staying at the Angel Inn, Islington. The inn has been twice rebuilt since that time, and from its contents there is preserved only a small image, which perhaps was meant to represent "Liberty,"—possibly brought from Paris by Paine as an ornament for his study. From the Angel he removed to a house in Harding Street, Fetter Lane. Rickman says Part First of "Rights of Man" was finished at Versailles, but probably this has reference to the preface only, as I cannot find Paine in France that year until April 8. The book had been printed by Johnson, in time

for the opening of Parliament, in February ; but this publisher became frightened after a few copies were out (there is one in the British Museum), and the work was transferred to J. S. Jordan, 166 Fleet Street, with a preface sent from Paris (not contained in Johnson's edition, nor in the American editions). The pamphlet, though sold at the same price as Burke's, three shillings, had a vast circulation, and Paine gave the proceeds to the Constitutional Societies which sprang up under his teachings in various parts of the country.

Soon after appeared Burke's "Appeal from the New to the Old Whigs." In this Burke quoted a good deal from "Rights of Man," but replied to it only with exclamation points, saying that the only answer such ideas merited was "criminal justice." Paine's Part Second followed, published February 17, 1792. In Part First Paine had mentioned a rumor that Burke was a marked pensioner (a charge that will be noticed in connection with its detailed statement in a further publication); and as Burke had been formerly arraigned in Parliament, while Paymaster, for a very questionable proceeding, this charge no doubt hurt a good deal. Although the government did not follow Burke's suggestion of a prosecution at that time, there is little doubt that it was he who induced the prosecution of Part Second. Before the trial came on, December 18, 1792, Paine was occupying his seat in the French Convention, and could only be outlawed.

Burke humorously remarked to a friend of Paine and himself, "We hunt in pairs." The severally representative character and influence of these two men in the revolutionary era, in France and England, deserve more adequate study than they have received. While Paine maintained freedom of discussion, Burke first proposed criminal prosecution for sentiments by no means libellous (such as Paine's Part First). While Paine was endeavoring to make the movement in France peaceful, Burke fomented the league of monarchs against France which maddened its people, and brought on the Reign of Terror. While Paine was endeavoring to preserve the French throne ("phantom"

though he believed it), to prevent bloodshed, Burke was secretly writing to the Queen of France, entreating her not to compromise, and to "trust to the support of foreign armies" ("Histoire de France depuis 1789." Henri Martin, i., 151). While Burke thus helped to bring the King and Queen to the guillotine, Paine pleaded for their lives to the last moment. While Paine maintained the right of mankind to improve their condition, Burke held that "the awful Author of our being is the author of our place in the order of existence; and that, having disposed and marshalled us by a divine tactick, not according to our will, but according to his, he has, in and by that disposition, virtually subjected us to act the part which belongs to the place assigned us." Paine was a religious believer in eternal principles; Burke held that "political problems do not primarily concern truth or falsehood. They relate to good or evil. What in the result is likely to produce evil is politically false, that which is productive of good politically is true." Assuming thus the visionary's right to decide before the result what was "likely to produce evil," Burke vigorously sought to kindle war against the French Republic which might have developed itself peacefully, while Paine was striving for an international Congress in Europe in the interest of peace. Paine had faith in the people, and believed that, if allowed to choose representatives, they would select their best and wisest men; and that while reforming government the people would remain orderly, as they had generally remained in America during the transition from British rule to self-government. Burke maintained that if the existing political order were broken up there would be no longer a people, but "a number of vague, loose individuals, and nothing more." "Alas!" he exclaims, "they little know how many a weary step is to be taken before they can form themselves into a mass, which has a true personality." For the sake of peace Paine wished the revolution to be peaceful as the advance of summer; he used every endeavor to reconcile English radicals to some *modus vivendi* with the existing order, as he was willing to retain Louis XVI. as head of the

executive in France : Burke resisted every tendency of English statesmanship to reform at home, or to negotiate with the French Republic, and was mainly responsible for the King's death and the war that followed between England and France in February, 1793. Burke became a royal favorite, Paine was outlawed by a prosecution originally proposed by Burke. While Paine was demanding religious liberty, Burke was opposing the removal of penal statutes from Unitarians, on the ground that but for those statutes Paine might some day set up a church in England. When Burke was retiring on a large royal pension, Paine was in prison, through the devices of Burke's confederate, the American Minister in Paris. So the two men, as Burke said, "hunted in pairs."

So far as Burke attempts to affirm any principle he is fairly quoted in Paine's work, and nowhere misrepresented. As for Paine's own ideas, the reader should remember that "Rights of Man" was the earliest complete statement of republican principles. They were pronounced to be the fundamental principles of the American Republic by Jefferson, Madison, and Jackson,—the three Presidents who above all others represented the republican idea which Paine first allied with American Independence. Those who suppose that Paine did but reproduce the principles of Rousseau and Locke will find by careful study of his well-weighted language that such is not the case. Paine's political principles were evolved out of his early Quakerism. He was potential in George Fox. The belief that every human soul was the child of God, and capable of direct inspiration from the Father of all, without mediator or priestly intervention, or sacramental instrumentality, was fatal to all privilege and rank. The universal Fatherhood implied universal Brotherhood, or human equality. But the fate of the Quakers proved the necessity of protecting the individual spirit from oppression by the majority as well as by privileged classes. For this purpose Paine insisted on surrounding the individual right with the security of the Declaration of Rights, not to be invaded by any government ; and would reduce

government to an association limited in its operations to the defence of those rights which the individual is unable, alone, to maintain.

From the preceding chapter it will be seen that Part Second of "Rights of Man" was begun by Paine in the spring of 1791. At the close of that year, or early in 1792, he took up his abode with his friend Thomas "Clio" Rickman, at No. 7 Upper Marylebone Street. Rickman was a radical publisher; the house remains still a book-binding establishment, and seems little changed since Paine therein revised the proofs of Part Second on a table which Rickman marked with a plate, and which is now in possession of Mr. Edward Truelove. As the plate states, Paine wrote on the same table other works which appeared in England in 1792.

In 1795 D. I. Eaton published an edition of "Rights of Man," with a preface purporting to have been written by Paine while in Luxembourg prison. It is manifestly spurious. The genuine English and French prefaces are given.



GEORGE WASHINGTON,

PRESIDENT OF THE UNITED STATES OF AMERICA.

SIR,—

I present you a small treatise in defence of those principles of freedom which your exemplary virtue hath so eminently contributed to establish. That the Rights of Man may become as universal as your benevolence can wish, and that you may enjoy the happiness of seeing the New World regenerate the Old, is the prayer of

SIR,

Your much obliged, and

Obedient humble Servant,

THOMAS PAINE.



PREFACE TO THE ENGLISH EDITION.

FROM the part Mr. Burke took in the American Revolution, it was natural that I should consider him a friend to mankind; and as our acquaintance commenced on that ground, it would have been more agreeable to me to have had cause to continue in that opinion than to change it.

At the time Mr. Burke made his violent speech last winter in the English Parliament against the French Revolution and the National Assembly, I was in Paris, and had written to him but a short time before to inform him how prosperously matters were going on.¹ Soon after this I saw his advertisement of the Pamphlet he intended to publish: As the attack was to be made in a language but little studied, and less understood in France, and as everything suffers by translation, I promised some of the friends of the Revolution in that country that whenever Mr. Burke's Pamphlet came forth, I would answer it. This appeared to me the more

¹ My efforts to discover this letter have failed. The following is from Croly's "Life of Burke": "Among his [Paine's] earliest missives was a letter [from Paris] to Burke, whom he eagerly urged to introduce Revolution into England, by its established name of 'Reform.' Burke threw back the temptation, or the insult, at once. 'Do you *really* imagine, Mr. Paine,' was his reply, 'that the constitution of this kingdom requires such innovations, or *could exist with them*, or that any *reflecting man* would seriously engage in them? You are aware that I have, all my life, opposed such schemes of reform, because *I know them not to be Reform.*' Paine, however, continued his ill-received correspondence; and whether from the delight of molesting Burke, or the expectation of making him a convert to a side which had the grand charm for the conviction of his own profligate heart, plunder; he sent him narratives of the rapidly recurring triumphs of democracy. In one of those he stated that the Reformers had already determined on the total overthrow of the [French] monarchy, etc." This letter is said by the reverend biographer to have been written "exactly three days before the storming of the Bastille."—*Editor*.

necessary to be done, when I saw the flagrant misrepresentations which Mr. Burke's Pamphlet contains ; and that while it is an outrageous abuse on the French Revolution, and the principles of Liberty, it is an imposition on the rest of the world.

I am the more astonished and disappointed at this conduct in Mr. Burke, as (from the circumstances I am going to mention) I had formed other expectations.

I had seen enough of the miseries of war, to wish it might never more have existence in the world, and that some other mode might be found out to settle the differences that should occasionally arise in the neighbourhood of nations. This certainly might be done if Courts were disposed to set honestly about it, or if countries were enlightened enough not to be made the dupes of Courts. The people of America had been bred up in the same prejudices against France, which at that time characterised the people of England ; but experience and an acquaintance with the French Nation have most effectually shown to the Americans the falsehood of those prejudices ; and I do not believe that a more cordial and confidential intercourse exists between any two countries than between America and France.

When I came to France, in the spring of 1787, the Archbishop of Thoulouse was then Minister, and at that time highly esteemed. I became much acquainted with the private Secretary of that Minister, a man of an enlarged benevolent heart ; and found, that his sentiments and my own perfectly agreed with respect to the madness of war, and the wretched impolicy of two nations, like England and France, continually worrying each other, to no other end than that of a mutual increase of burdens and taxes. That I might be assured I had not misunderstood him, nor he me, I put the substance of our opinions into writing and sent it to him ; subjoining a request, that if I should see among the people of England, any disposition to cultivate a better understanding between the two nations than had hitherto prevailed, how far I might be authorised to say that the same disposition prevailed on the part of France ? He an-

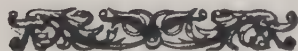
swered me by letter in the most unreserved manner, and that not for himself only, but for the Minister, with whose knowledge the letter was declared to be written.

I put this letter into the hands of Mr. Burke almost three years ago, and left it with him, where it still remains; hoping, and at the same time naturally expecting, from the opinion I had conceived of him, that he would find some opportunity of making good use of it, for the purpose of removing those errors and prejudices which two neighbouring nations, from the want of knowing each other, had entertained, to the injury of both.

When the French Revolution broke out, it certainly afforded to Mr. Burke an opportunity of doing some good, had he been disposed to it; instead of which, no sooner did he see the old prejudices wearing away, than he immediately began sowing the seeds of a new inveteracy, as if he were afraid that England and France would cease to be enemies. That there are men in all countries who get their living by war, and by keeping up the quarrels of Nations, is as shocking as it is true; but when those who are concerned in the government of a country, make it their study to sow discord and cultivate prejudices between Nations, it becomes the more unpardonable.

With respect to a paragraph in this work alluding to Mr. Burke's having a pension, the report has been some time in circulation, at least two months; and as a person is often the last to hear what concerns him the most to know, I have mentioned it, that Mr. Burke may have an opportunity of contradicting the rumour, if he thinks proper.

THOMAS PAINE.





PAINE'S PREFACE TO THE FRENCH EDITION.¹

THE astonishment which the French Revolution has caused throughout Europe should be considered from two different points of view : first as it affects foreign peoples, secondly as it affects their governments.

The cause of the French people is that of all Europe, or rather of the whole world ; but the governments of all those countries are by no means favorable to it. It is important that we should never lose sight of this distinction. We must not confuse the peoples with their governments ; especially not the English people with its government.

The government of England is no friend to the revolution of France. Of this we have sufficient proofs in the thanks given by that weak and witless person, the Elector of Hanover, sometimes called the King of England, to Mr. Burke for the insults heaped on it in his book, and in the malevolent comments of the English Minister, Mr. Pitt, in his speeches in Parliament.

In spite of the professions of sincerest friendship found in the official correspondence of the English government with that of France, its conduct gives the lie to all its declarations, and shows us clearly that it is not a court to be trusted, but an insane court, plunging in all the quarrels and intrigues of Europe, in quest of a war to satisfy its folly and countenance its extravagance.

The English nation, on the contrary, is very favorably disposed towards the French Revolution, and to the progress

¹ Part I., translated by F. Soulès, was published in Paris in May, 1791. This Preface has not appeared in any American edition, but a translation was given in Carline's edition, 1819. The present translation is from the original French. F. Lanthenas translated Parts I. and II. in 1792.—*Editor*.

of liberty in the whole world ; and this feeling will become more general in England as the intrigues and artifices of its government are better known, and the principles of the revolution better understood. The French should know that most English newspapers are directly in the pay of government, or, if indirectly connected with it, always under its orders ; and that those papers constantly distort and attack the revolution in France in order to deceive the nation. But, as it is impossible long to prevent the prevalence of truth, the daily falsehoods of those papers no longer have the desired effect.

To be convinced that the voice of truth has been stifled in England, the world needs only to be told that the government regards and prosecutes as a libel that which it should protect.* This outrage on morality is called *law*, and judges are found wicked enough to inflict penalties on truth.

The English government presents, just now, a curious phenomenon. Seeing that the French and English nations are getting rid of the prejudices and false notions formerly entertained against each other, and which have cost them so much money, that government seems to be placarding its need of a foe ; for unless it finds one somewhere, no pretext exists for the enormous revenue and taxation now deemed necessary.

Therefore it seeks in Russia the enemy it has lost in France, and appears to say to the universe, or to say to itself : " If nobody will be so kind as to become my foe, I shall need no more fleets nor armies, and shall be forced to reduce my taxes. The American war enabled me to double the taxes ; the Dutch business to add more ; the Nootka humbug gave me a pretext for raising three millions sterling more ; but unless I can make an enemy of Russia the harvest from wars will end. I was the first to incite Turk against Russian, and now I hope to reap a fresh crop of taxes."

If the miseries of war, and the flood of evils it spreads

*The main and uniform maxim of the judges is, the greater the truth the greater the libel.—*Author*.

over a country, did not check all inclination to mirth, and turn laughter into grief, the frantic conduct of the government of England would only excite ridicule. But it is impossible to banish from one's mind the images of suffering which the contemplation of such vicious policy presents. To reason with governments, as they have existed for ages, is to argue with brutes. It is only from the nations themselves that reforms can be expected. There ought not now to exist any doubt that the peoples of France, England, and America, enlightened and enlightening each other, shall henceforth be able, not merely to give the world an example of good government, but by their united influence enforce its practice.





RIGHTS OF MAN.

AMONG the incivilities by which nations or individuals provoke and irritate each other, Mr. Burke's pamphlet on the French Revolution is an extraordinary instance. Neither the People of France, nor the National Assembly, were troubling themselves about the affairs of England, or the English Parliament; and that Mr. Burke should commence an unprovoked attack upon them, both in Parliament and in public, is a conduct that cannot be pardoned on the score of manners, nor justified on that of policy.

There is scarcely an epithet of abuse to be found in the English language, with which Mr. Burke has not loaded the French Nation and the National Assembly. Everything which rancour, prejudice, ignorance or knowledge could suggest, is poured forth in the copious fury of near four hundred pages. In the strain and on the plan Mr. Burke was writing, he might have written on to as many thousands. When the tongue or the pen is let loose in a phrenzy of passion, it is the man, and not the subject, that becomes exhausted.

Hitherto Mr. Burke has been mistaken and disappointed in the opinions he had formed of the affairs of France; but such is the ingenuity of his hope, or the malignancy of his despair, that it furnishes him with new pretences to go on. There was a time when it was impossible to make Mr. Burke believe there would be any Revolution in France. His opinion then was, that the French had neither spirit to undertake it nor fortitude to support it; and now that there is one, he seeks an escape by condemning it.

Not sufficiently content with abusing the National Assembly, a great part of his work is taken up with abusing

Dr. Price (one of the best-hearted men that lives) ¹ and the two societies in England known by the name of the Revolution Society and the Society for Constitutional Information.

Dr. Price had preached a sermon on the 4th of November, 1789, being the anniversary of what is called in England the Revolution, which took place 1688. Mr. Burke, speaking of this sermon, says: "The political Divine proceeds dogmatically to assert, that by the principles of the Revolution, the people of England have acquired three fundamental rights.

1. To choose our own governors.
2. To cashier them for misconduct.
3. To frame a government for ourselves."

Dr. Price does not say that the right to do these things exists in this or in that person, or in this or in that description of persons, but that it exists in the *whole*; that it is a right resident in the nation. Mr. Burke, on the contrary, denies that such a right exists in the nation, either in whole or in part, or that it exists anywhere; and, what is still more strange and marvellous, he says: "that the people of England utterly disclaim such a right, and that they will resist the practical assertion of it with their lives and fortunes." That men should take up arms and spend their lives and fortunes, *not* to maintain their rights, but to maintain they have *not* rights, is an entirely new species of discovery, and suited to the paradoxical genius of Mr. Burke.

The method which Mr. Burke takes to prove that the people of England have no such rights, and that such rights do not now exist in the nation, either in whole or in part, or anywhere at all, is of the same marvellous and monstrous kind with what he has already said; for his arguments are that the persons, or the generation of persons, in whom they did exist, are dead, and with them the right is dead also. To prove this, he quotes a declaration made by Parliament about a hundred years ago, to William and Mary, in these words: "The Lords Spiritual and Temporal, and Commons, do, in the name of the people aforesaid" (meaning the people of England then living) "**most**

¹ Richard Price, D.D., F.R.S., died April 19, 1791.

humbly, and faithfully *submit* themselves, their *heirs* and *posterities*, for EVER." He quotes a clause of another Act of Parliament made in the same reign, the terms of which he says, "bind us" (meaning the people of their day), "our *heirs* and our *posterity*, to *them*, their *heirs* and *posterity*, to the end of time."

Mr. Burke conceives his point sufficiently established by producing those clauses, which he enforces by saying that they exclude the right of the nation for *ever*. And not yet content with making such declarations, repeated over and over again, he farther says, "that if the people of England possessed such a right before the Revolution" (which he acknowledges to have been the case, not only in England, but throughout Europe, at an early period), "yet that the *English Nation* did, at the time of the Revolution, most solemnly renounce and abdicate it, for themselves, and for *all their posterity, for ever*."

As Mr. Burke occasionally applies the poison drawn from his horrid principles, not only to the English nation, but to the French Revolution and the National Assembly, and charges that august, illuminated and illuminating body of men with the epithet of *usurpers*, I shall, *sans cérémonie*, place another system of principles in opposition to his.

The English Parliament of 1688 did a certain thing, which, for themselves and their constituents, they had a right to do, and which it appeared right should be done. But, in addition to this right, which they possessed by delegation, *they set up another right by assumption*, that of binding and controlling posterity to the end of time. The case, therefore, divides itself into two parts; the right which they possessed by delegation, and the right which they set up by assumption. The first is admitted; but with respect to the second, I reply—

There never did, there never will, and there never can, exist a Parliament, or any description of men, or any generation of men, in any country, possessed of the right or the power of binding and controuling posterity to the "*end of time*," or of commanding for ever how the world shall be

governed, or who shall govern it; and therefore all such clauses, acts or declarations by which the makers of them attempt to do what they have neither the right nor the power to do, nor the power to execute, are in themselves null and void. Every age and generation must be as free to act for itself *in all cases* as the age and generations which preceded it. The vanity and presumption of governing beyond the grave is the most ridiculous and insolent of all tyrannies. Man has no property in man; neither has any generation a property in the generations which are to follow. The Parliament or the people of 1688, or of any other period, had no more right to dispose of the people of the present day, or to bind or to control them *in any shape whatever*, than the parliament or the people of the present day have to dispose of, bind or control those who are to live a hundred or a thousand years hence. Every generation is, and must be, competent to all the purposes which its occasions require. It is the living, and not the dead, that are to be accommodated. When man ceases to be, his power and his wants cease with him; and having no longer any participation in the concerns of this world, he has no longer any authority in directing who shall be its governors, or how its government shall be organised, or how administered.

I am not contending for nor against any form of government, nor for nor against any party, here or elsewhere. That which a whole nation chooses to do it has a right to do. Mr. Burke says, No. Where, then, does the right exist? I am contending for the rights of the *living*, and against their being willed away and controuled and contracted for by the manuscript assumed authority of the dead, and Mr. Burke is contending for the authority of the dead over the rights and freedom of the living. There was a time when kings disposed of their crowns by will upon their death-beds, and consigned the people, like beasts of the field, to whatever successor they appointed. This is now so exploded as scarcely to be remembered, and so monstrous as hardly to be believed. But the Parliamentary clauses upon which Mr. Burke builds his political church are of the same nature.

The laws of every country must be analogous to some common principle. In England no parent or master, nor all the authority of Parliament, omnipotent as it has called itself, can bind or control the personal freedom even of an individual beyond the age of twenty-one years. On what ground of right, then, could the Parliament of 1688, or any other Parliament, bind all posterity for ever?

Those who have quitted the world, and those who have not yet arrived at it, are as remote from each other as the utmost stretch of mortal imagination can conceive. What possible obligation, then, can exist between them—what rule or principle can be laid down that of two nonentities, the one out of existence and the other not in, and who never can meet in this world, the one should controul the other to the end of time?

In England it is said that money cannot be taken out of the pockets of the people without their consent. But who authorised, or who could authorise, the Parliament of 1688 to control and take away the freedom of posterity (who were not in existence to give or to withhold their consent), and limit and confine their right of acting in certain cases for ever?

A greater absurdity cannot present itself to the understanding of man than what Mr. Burke offers to his readers. He tells them, and he tells the world to come, that a certain body of men who existed a hundred years ago made a law, and that there does not now exist in the nation, nor ever will, nor ever can, a power to alter it. Under how many subtillies or absurdities has the divine right to govern been imposed on the credulity of mankind? Mr. Burke has discovered a new one, and he has shortened his journey to Rome by appealing to the power of this infallible Parliament of former days, and he produces what it has done as of divine authority, for that power must certainly be more than human which no human power to the end of time can alter.

But Mr. Burke has done some service—not to his cause, but to his country—by bringing those clauses into public

view. They serve to demonstrate how necessary it is at all times to watch against the attempted encroachment of power, and to prevent its running to excess. It is somewhat extraordinary that the offence for which James II. was expelled, that of setting up power by *assumption*, should be re-acted, under another shape and form, by the Parliament that expelled him. It shews that the Rights of Man were but imperfectly understood at the Revolution, for certain it is that the right which that Parliament set up by *assumption* (for by delegation it had not, and could not have it, because none could give it) over the persons and freedom of posterity for ever was of the same tyrannical unfounded kind which James attempted to set up over the Parliament and the nation, and for which he was expelled. The only difference is (for in principle they differ not) that the one was an usurper over the living, and the other over the unborn; and as the one has no better authority to stand upon than the other, both of them must be equally null and void, and of no effect.

From what, or from whence, does Mr. Burke prove the right of any human power to bind posterity for ever? He has produced his clauses, but he must produce also his proofs that such a right existed, and shew how it existed. If it ever existed it must now exist, for whatever appertains to the nature of man cannot be annihilated by man. It is the nature of man to die, and he will continue to die as long as he continues to be born. But Mr. Burke has set up a sort of political Adam, in whom all posterity are bound for ever. He must, therefore, prove that his Adam possessed such a power, or such a right.

The weaker any cord is, the less will it bear to be stretched, and the worse is the policy to stretch it, unless it is intended to break it. Had anyone proposed the overthrow of Mr. Burke's positions, he would have proceeded as Mr. Burke has done. He would have magnified the authorities, on purpose to have called the *right* of them into question; and the instant the question of right was started, the authorities must have been given up.

It requires but a very small glance of thought to perceive that altho' laws made in one generation often continue in force through succeeding generations, yet they continue to derive their force from the consent of the living. A law not repealed continues in force, not because it *cannot* be repealed, but because it is *not* repealed; and the non-repealing passes for consent.

But Mr. Burke's clauses have not even this qualification in their favor. They become null, by attempting to become immortal. The nature of them precludes consent. They destroy the right which they *might* have, by grounding it on a right which they *cannot* have. Immortal power is not a human right, and therefore cannot be a right of Parliament. The Parliament of 1688 might as well have passed an act to have authorised themselves to live for ever, as to make their authority live for ever. All, therefore, that can be said of those clauses is that they are a formality of words, of as much import as if those who used them had addressed a congratulation to themselves, and in the oriental style of antiquity had said : O Parliament, live for ever !

The circumstances of the world are continually changing, and the opinions of men change also; and as government is for the living, and not for the dead, it is the living only that has any right in it. That which may be thought right and found convenient in one age may be thought wrong and found inconvenient in another. In such cases, who is to decide, the living or the dead ?

As almost one hundred pages of Mr. Burke's book are employed upon these clauses, it will consequently follow that if the clauses themselves, so far as they set up an *assumed usurped* dominion over posterity for ever, are unauthoritative, and in their nature null and void; that all his voluminous inferences, and declamation drawn therefrom, or founded thereon, are null and void also; and on this ground I rest the matter.

We now come more particularly to the affairs of France. Mr. Burke's book has the appearance of being written as instruction to the French nation; but if I may permit myself

the use of an extravagant metaphor, suited to the extravagance of the case, it is darkness attempting to illuminate light.

While I am writing this there are accidentally before me some proposals for a declaration of rights by the Marquis de la Fayette (I ask his pardon for using his former address, and do it only for distinction's sake) to the National Assembly, on the 11th of July, 1789, three days before the taking of the Bastille, and I cannot but remark with astonishment how opposite the sources are from which that gentleman and Mr. Burke draw their principles. Instead of referring to musty records and mouldy parchments to prove that the rights of the living are lost, "renounced and abdicated for ever," by those who are now no more, as Mr. Burke has done, M. de la Fayette applies to the living world, and emphatically says: "Call to mind the sentiments which nature has engraved on the heart of every citizen, and which take a new force when they are solemnly recognised by all:—For a nation to love liberty, it is sufficient that she knows it; and to be free, it is sufficient that she wills it." How dry, barren, and obscure is the source from which Mr. Burke labors! and how ineffectual, though gay with flowers, are all his declamation and his arguments compared with these clear, concise, and soul-animating sentiments! Few and short as they are, they lead on to a vast field of generous and manly thinking, and do not finish, like Mr. Burke's periods, with music in the ear, and nothing in the heart.

As I have introduced M. de la Fayette, I will take the liberty of adding an anecdote respecting his farewell address to the Congress of America in 1783, and which occurred fresh to my mind, when I saw Mr. Burke's thundering attack on the French Revolution. M. de la Fayette went to America at the early period of the war, and continued a volunteer in her service to the end. His conduct through the whole of that enterprise is one of the most extraordinary that is to be found in the history of a young man, scarcely then twenty years of age. Situated in a country that was like the lap of sensual pleasure, and with the means of

enjoying it, how few are there to be found who would exchange such a scene for the woods and wildernesses of America, and pass the flowery years of youth in unprofitable danger and hardship ! but such is the fact. When the war ended, and he was on the point of taking his final departure, he presented himself to Congress, and contemplating in his affectionate farewell the Revolution he had seen, expressed himself in these words : " May this great monument raised to liberty serve as a lesson to the oppressor, and an example to the oppressed ! " When this address came to the hands of Dr. Franklin, who was then in France, he applied to Count Vergennes to have it inserted in the French Gazette, but never could obtain his consent. The fact was that Count Vergennes was an aristocratical despot at home, and dreaded the example of the American Revolution in France, as certain other persons now dread the example of the French Revolution in England, and Mr. Burke's tribute of fear (for in this light his book must be considered) runs parallel with Count Vergennes' refusal. But to return more particularly to his work.

" We have seen," says Mr. Burke, " the French rebel against a mild and lawful monarch, with more fury, outrage, and insult, than any people has been known to rise against the most illegal usurper, or the most sanguinary tyrant." This is one among a thousand other instances, in which Mr. Burke shows that he is ignorant of the springs and principles of the French Revolution.

It was not against Louis XVIth but against the despotic principles of the Government, that the nation revolted. These principles had not their origin in him, but in the original establishment, many centuries back : and they were become too deeply rooted to be removed, and the Augean stables of parasites and plunderers too abominably filthy to be cleansed by anything short of a complete and universal Revolution. When it becomes necessary to do anything, the whole heart and soul should go into the measure, or not attempt it. That crisis was then arrived, and there remained no choice but to act with determined vigor, or not to act at all. The

king was known to be the friend of the nation, and this circumstance was favorable to the enterprise. Perhaps no man bred up in the style of an absolute king, ever possessed a heart so little disposed to the exercise of that species of power as the present King of France. But the principles of the Government itself still remained the same. The Monarch and the Monarchy were distinct and separate things; and it was against the established despotism of the latter, and not against the person or principles of the former, that the revolt commenced, and the Revolution has been carried.

Mr. Burke does not attend to the distinction between men and principles, and, therefore, he does not see that a revolt may take place against the despotism of the latter, while there lies no charge of despotism against the former.

The natural moderation of Louis XVIth contributed nothing to alter the hereditary despotism of the monarchy. All the tyrannies of former reigns, acted under that hereditary despotism, were still liable to be revived in the hands of a successor. It was not the respite of a reign that would satisfy France, enlightened as she was then become. A casual discontinuance of the *practice* of despotism, is not a discontinuance of its *principles*: the former depends on the virtue of the individual who is in immediate possession of the power; the latter, on the virtue and fortitude of the nation. In the case of Charles Ist and James IInd of England, the revolt was against the personal despotism of the men; whereas in France, it was against the hereditary despotism of the established Government. But men who can consign over the rights of posterity for ever on the authority of a mouldy parchment, like Mr. Burke, are not qualified to judge of this Revolution. It takes in a field too vast for their views to explore, and proceeds with a mightiness of reason they cannot keep pace with.

But there are many points of view in which this Revolution may be considered. When despotism has established itself for ages in a country, as in France, it is not in the person of the king only that it resides. It has the appearance

of being so in show, and in nominal authority ; but it is not so in practice and in fact. It has its standard everywhere. Every office and department has its despotism, founded upon custom and usage. Every place has its Bastille, and every Bastille its despot. The original hereditary despotism resident in the person of the king, divides and sub-divides itself into a thousand shapes and forms, till at last the whole of it is acted by deputation. This was the case in France ; and against this species of despotism, proceeding on through an endless labyrinth of office till the source of it is scarcely perceptible, there is no mode of redress. It strengthens itself by assuming the appearance of duty, and tyrannises under the pretence of obeying.

When a man reflects on the condition which France was in from the nature of her government, he will see other causes for revolt than those which immediately connect themselves with the person or character of Louis XVI. There were, if I may so express it, a thousand despotisms to be reformed in France, which had grown up under the hereditary despotism of the monarchy, and became so rooted as to be in a great measure independent of it. Between the Monarchy, the Parliament, and the Church there was a *rivalship* of despotism ; besides the feudal despotism operating locally, and the ministerial despotism operating everywhere. But Mr. Burke, by considering the king as the only possible object of a revolt, speaks as if France was a village, in which everything that passed must be known to its commanding officer, and no oppression could be acted but what he could immediately controul. Mr. Burke might have been in the Bastille his whole life, as well under Louis XVI as Louis XIV., and neither the one nor the other have known that such a man as Burke existed. The despotic principles of the government were the same in both reigns, though the dispositions of the men were as remote as tyranny and benevolence.

What Mr. Burke considers as a reproach to the French Revolution (that of bringing it forward under a reign more mild than the preceding ones) is one of its highest honors.

The Revolutions that have taken place in other European countries, have been excited by personal hatred. The rage was against the man, and he became the victim. But, in the instance of France we see a Revolution generated in the rational contemplation of the Rights of Man, and distinguishing from the beginning between persons and principles.

But Mr. Burke appears to have no idea of principles when he is contemplating Governments. "Ten years ago," says he, "I could have felicitated France on her having a Government, without inquiring what the nature of that Government was, or how it was administered." Is this the language of a rational man? Is it the language of a heart feeling as it ought to feel for the rights and happiness of the human race? On this ground, Mr. Burke must compliment all the Governments in the world, while the victims who suffer under them, whether sold into slavery, or tortured out of existence, are wholly forgotten. It is power, and not principles, that Mr. Burke venerates; and under this abominable depravity he is disqualified to judge between them. Thus much for his opinion as to the occasions of the French Revolution. I now proceed to other considerations.

I know a place in America called Point-no-Point, because as you proceed along the shore, gay and flowery as Mr. Burke's language, it continually recedes and presents itself at a distance before you; but when you have got as far as you can go, there is no point at all. Just thus it is with Mr. Burke's three hundred and sixty-six pages. It is therefore difficult to reply to him. But as the points he wishes to establish may be inferred from what he abuses, it is in his paradoxes that we must look for his arguments.

As to the tragic paintings by which Mr. Burke has outraged his own imagination, and seeks to work upon that of his readers, they are very well calculated for theatrical representation, where facts are manufactured for the sake of show, and accommodated to produce, through the weakness of sympathy, a weeping effect. But Mr. Burke should recollect that he is writing history, and not *plays*, and that

his readers will expect truth, and not the spouting rant of high-toned exclamation.

When we see a man dramatically lamenting in a publication intended to be believed that "*The age of chivalry is gone ! that The glory of Europe is extinguished for ever ! that The unbought grace of life (if anyone knows what it is), the cheap defence of nations, the nurse of manly sentiment and heroic enterprise is gone !*" and all this because the Quixot age of chivalry nonsense is gone, what opinion can we form of his judgment, or what regard can we pay to his facts? In the rhapsody of his imagination he has discovered a world of wind mills, and his sorrows are that there are no Quixots to attack them. But if the age of aristocracy, like that of chivalry, should fall (and they had originally some connection) Mr. Burke, the trumpeter of the Order, may continue his parody to the end, and finish with exclaiming: "*Othello's occupation's gone !*"

Notwithstanding Mr. Burke's horrid paintings, when the French Revolution is compared with the Revolutions of other countries, the astonishment will be that it is marked with so few sacrifices ; but this astonishment will cease when we reflect that *principles*, and not *persons*, were the meditated objects of destruction. The mind of the nation was acted upon by a higher stimulus than what the consideration of persons could inspire, and sought a higher conquest than could be produced by the downfall of an enemy. Among the few who fell there do not appear to be any that were intentionally singled out. They all of them had their fate in the circumstances of the moment, and were not pursued with that long, cold-blooded unabated revenge which pursued the unfortunate Scotch in the affair of 1745.

Through the whole of Mr. Burke's book I do not observe that the Bastille is mentioned more than once, and that with a kind of implication as if he were sorry it was pulled down, and wished it were built up again. "We have rebuilt Newgate," says he, "and tenanted the mansion ; and we have prisons almost as strong as the Bastille

for those who dare to libel the queens of France." * As to what a madman like the person called Lord G[eorge] G[ordon] might say, and to whom Newgate is rather a bedlam than a prison, it is unworthy a rational consideration. It was a madman that libelled, and that is sufficient apology; and it afforded an opportunity for confining him, which was the thing that was wished for. But certain it is that Mr. Burke, who does not call himself a madman (whatever other people may do), has libelled in the most unprovoked manner, and in the grossest style of the most vulgar abuse, the whole representative authority of France, and yet Mr. Burke takes his seat in the British House of Commons! From his violence and his grief, his silence on some points and his excess on others, it is difficult not to believe that Mr. Burke is sorry, extremely sorry, that arbitrary power, the power of the Pope and the Bastille, are pulled down.

Not one glance of compassion, not one commiserating reflexion that I can find throughout his book, has he bestowed on those who lingered out the most wretched of lives, a life without hope in the most miserable of prisons. It is painful to behold a man employing his talents to corrupt himself. Nature has been kinder to Mr. Burke than he is to her. He is not affected by the reality of distress touching his heart, but by the showy resemblance of it striking his imagination. He pities the plumage, but forgets the dying bird. Accustomed to kiss the aristocratical hand that hath purloined him from himself, he degenerates into a composition of art, and the genuine soul of nature forsakes him. His hero or his heroine must be a tragedy-victim expiring

* Since writing the above, two other places occur in Mr. Burke's pamphlet in which the name of the Bastille is mentioned, but in the same manner. In the one he introduces it in a sort of obscure question, and asks: "Will any ministers who now serve such a king, with but a decent appearance of respect, cordially obey the orders of those whom but the other day, *in his name*, they had committed to the Bastille?" In the other the taking it is mentioned as implying criminality in the French guards, who assisted in demolishing it.

^ "They have not," says he, "forgot the taking the king's castles at Paris." This is Mr. Burke, who pretends to write on constitutional freedom.—*Author*.

in show, and not the real prisoner of misery, sliding into death in the silence of a dungeon.

As Mr. Burke has passed over the whole transaction of the Bastille (and his silence is nothing in his favor), and has entertained his readers with reflections on supposed facts distorted into real falsehoods, I will give, since he has not, some account of the circumstances which preceded that transaction. They will serve to shew that less mischief could scarcely have accompanied such an event when considered with the treacherous and hostile aggravations of the enemies of the Revolution.

The mind can hardly picture to itself a more tremendous scene than what the city of Paris exhibited at the time of taking the Bastille, and for two days before and after, nor perceive the possibility of its quieting so soon. At a distance this transaction has appeared only as an act of heroism standing on itself, and the close political connection it had with the Revolution is lost in the brilliancy of the achievement. But we are to consider it as the strength of the parties brought man to man, and contending for the issue. The Bastille was to be either the prize or the prison of the assailants. The downfall of it included the idea of the downfall of despotism, and this compounded image was become as figuratively united as Bunyan's Doubting Castle and Giant Despair.¹

The National Assembly, before and at the time of taking the Bastille, was sitting at Versailles, twelve miles distant from Paris. About a week before the rising of the Parisians, and their taking the Bastille, it was discovered that a plot was forming, at the head of which was the Count d'Artois, the king's youngest brother, for demolishing the National Assembly, seizing its members, and thereby crushing, by a *coup de main*, all hopes and prospects of forming a free government. For the sake of humanity, as well as freedom, it is well this plan did not succeed. Examples are not wanting to show how dreadfully vindictive and cruel are all old governments, when they are successful against what they call a revolt.

¹ In the French edition this allusion is explained in a footnote.—*Editor*.

This plan must have been some time in contemplation; because, in order to carry it into execution, it was necessary to collect a large military force round Paris, and cut off the communication between that city and the National Assembly at Versailles. The troops destined for this service were chiefly the foreign troops in the pay of France, and who, for this particular purpose, were drawn from the distant provinces where they were then stationed. When they were collected to the amount of between twenty-five and thirty thousand, it was judged time to put the plan into execution. The ministry who were then in office, and who were friendly to the Revolution, were instantly dismissed and a new ministry formed of those who had concerted the project, among whom was Count de Broglio, and to his share was given the command of those troops. The character of this man as described to me in a letter which I communicated to Mr. Burke before he began to write his book, and from an authority which Mr. Burke well knows was good, was that of "a high-flying aristocrat, cool, and capable of every mischief."

While these matters were agitating the National Assembly stood in the most perilous and critical situation that a body of men can be supposed to act in. They were the devoted victims, and they knew it. They had the hearts and wishes of their country on their side, but military authority they had none. The guards of Broglio surrounded the hall where the Assembly sat, ready, at the word of command, to seize their persons, as had been done the year before to the Parliament of Paris. Had the National Assembly deserted their trust, or had they exhibited signs of weakness or fear, their enemies had been encouraged and their country depressed. When the situation they stood in, the cause they were engaged in, and the crisis then ready to burst, which should determine their personal and political fate and that of their country, and probably of Europe, are taken into one view, none but a heart callous with prejudice or corrupted by dependence can avoid interesting itself in their success.

The Archbishop of Vienne was at this time President of

the National Assembly—a person too old to undergo the scene that a few days or a few hours might bring forth. A man of more activity and bolder fortitude was necessary, and the National Assembly chose (under the form of a Vice-President, for the Presidency still resided in the Archbishop) M. de la Fayette; and this is the only instance of a Vice-President being chosen. It was at the moment that this storm was pending (July 11th) that a declaration of rights was brought forward by M. de la Fayette, and is the same which is alluded to in p. [282.] It was hastily drawn up, and makes only a part of the more extensive declaration of rights agreed upon and adopted afterwards by the National Assembly. The particular reason for bringing it forward at this moment (M. de la Fayette has since informed me) was that, if the National Assembly should fall in the threatened destruction that then surrounded it, some trace of its principles might have the chance of surviving the wreck.

Everything now was drawing to a crisis. The event was freedom or slavery. On one side, an army of nearly thirty thousand men; on the other, an unarmed body of citizens—for the citizens of Paris, on whom the National Assembly must then immediately depend, were as unarmed and as undisciplined as the citizens of London are now. The French guards had given strong symptoms of their being attached to the national cause; but their numbers were small, not a tenth part of the force that Broglio commanded, and their officers were in the interest of Broglio.

Matters being now ripe for execution, the new ministry made their appearance in office. The reader will carry in his mind that the Bastille was taken the 14th July; the point of time I am now speaking of is the 12th. Immediately on the news of the change of ministry reaching Paris, in the afternoon, all the playhouses and places of entertainment, shops and houses, were shut up. The change of ministry was considered as the prelude of hostilities, and the opinion was rightly founded.

The foreign troops began to advance towards the city. The Prince de Lambesc, who commanded a body of German

cavalry, approached by the Place of Lewis XV., which connects itself with some of the streets. In his march, he insulted and struck an old man with a sword. The French are remarkable for their respect to old age; and the insolence with which it appeared to be done, uniting with the general fermentation they were in, produced a powerful effect, and a cry of "To arms! to arms!" spread itself in a moment over the city.

Arms they had none, nor scarcely anyone who knew the use of them; but desperate resolution, when every hope is at stake, supplies, for a while, the want of arms. Near where the Prince de Lambesc was drawn up, were large piles of stones collected for building the new bridge, and with these the people attacked the cavalry. A party of French guards upon hearing the firing, rushed from their quarters and joined the people; and night coming on, the cavalry retreated.

The streets of Paris, being narrow, are favorable for defence, and the loftiness of the houses, consisting of many stories, from which great annoyance might be given, secured them against nocturnal enterprises; and the night was spent in providing themselves with every sort of weapon they could make or procure: guns, swords, blacksmiths' hammers, carpenters' axes, iron crows, pikes, halberts, pitchforks, spits, clubs, etc., etc. The incredible numbers in which they assembled the next morning, and the still more incredible resolution they exhibited, embarrassed and astonished their enemies. Little did the new ministry expect such a salute. 6 Accustomed to slavery themselves, they had no idea that liberty was capable of such inspiration, or that a body of unarmed citizens would dare to face the military force of thirty thousand men. Every moment of this day was employed in collecting arms, concerting plans, and arranging themselves into the best order which such an instantaneous movement could afford. Broglio continued lying round the city, but made no further advances this day, and the succeeding night passed with as much tranquility as such a scene could possibly produce.

But defence only was not the object of the citizens. They had a cause at stake, on which depended their freedom or their slavery. They every moment expected an attack, or to hear of one made on the National Assembly; and in such a situation, the most prompt measures are sometimes the best. The object that now presented itself was the Bastille; and the *éclat* of carrying such a fortress in the face of such an army, could not fail to strike terror into the new ministry, who had scarcely yet had time to meet. By some intercepted correspondence this morning, it was discovered that the Mayor of Paris, M. Defflesselles, who appeared to be in the interest of the citizens, was betraying them; and from this discovery, there remained no doubt that Broglio would reinforce the Bastille the ensuing evening. It was therefore necessary to attack it that day; but before this could be done, it was first necessary to procure a better supply of arms than they were then possessed of.

There was, adjoining to the city a large magazine of arms deposited at the Hospital of the Invalids, which the citizens summoned to surrender; and as the place was neither defensible, nor attempted much defence, they soon succeeded. Thus supplied, they marched to attack the Bastille; a vast mixed multitude of all ages, and of all degrees, armed with all sorts of weapons. Imagination would fail in describing to itself the appearance of such a procession, and of the anxiety of the events which a few hours or a few minutes might produce. What plans the ministry were forming, were as unknown to the people within the city, as what the citizens were doing was unknown to the ministry; and what movements Broglio might make for the support or relief of the place, were to the citizens equally as unknown. All was mystery and hazard.

That the Bastille was attacked with an enthusiasm of heroism, such only as the highest animation of liberty could inspire, and carried in the space of a few hours, is an event which the world is fully possessed of. I am not undertaking the detail of the attack, but bringing into view the conspiracy against the nation which provoked it, and which fell with

the Bastille. The prison to which the new ministry were dooming the National Assembly, in addition to its being the high altar and castle of despotism, became the proper object to begin with. This enterprise broke up the new ministry, who began now to fly from the ruin they had prepared for others. The troops of Broglio dispersed, and himself fled also.

Mr. Burke has spoken a great deal about plots, but he has never once spoken of this plot against the National Assembly, and the liberties of the nation; and that he might not, he has passed over all the circumstances that might throw it in his way. The exiles who have fled from France, whose case he so much interests himself in, and from whom he has had his lesson, fled in consequence of the miscarriage of this plot. No plot was formed against them; they were plotting against others; and those who fell, met, not unjustly, the punishment they were preparing to execute. But will Mr. Burke say, that if this plot, contrived with the subtilty of an ambuscade, had succeeded, the successful party would have restrained their wrath so soon? Let the history of all governments answer the question.

Whom has the National Assembly brought to the scaffold? None. They were themselves the devoted victims of this plot, and they have not retaliated; why, then, are they charged with revenge they have not acted? In the tremendous breaking forth of a whole people, in which all degrees, tempers and characters are confounded, delivering themselves, by a miracle of exertion, from the destruction meditated against them, is it to be expected that nothing will happen? When men are sore with the sense of oppressions, and menaced with the prospects of new ones, is the calmness of philosophy or the palsy of insensibility to be looked for? Mr. Burke exclaims against outrage; yet the greatest is that which himself has committed. His book is a volume of outrage, not apologised for by the impulse of a moment, but cherished through a space of ten months; yet Mr. Burke had no provocation—no life, no interest, at stake.

More of the citizens fell in this struggle than of their opponents: but four or five persons were seized by the populace,

and instantly put to death ; the Governor of the Bastille, and the Mayor of Paris, who was detected in the act of betraying them ; and afterwards Foulon, one of the new ministry, and Berthier, his son-in-law, who had accepted the office of intendant of Paris. Their heads were struck upon spikes, and carried about the city ; and it is upon this mode of punishment that Mr. Burke builds a great part of his tragic scene. Let us therefore examine how men came by the idea of punishing in this manner.

They learn it from the governments they live under ; and retaliate the punishments they have been accustomed to behold. The heads stuck upon spikes, which remained for years upon Temple Bar, differed nothing in the horror of the scene from those carried about upon spikes at Paris ; yet this was done by the English Government. It may perhaps be said that it signifies nothing to a man what is done to him after he is dead ; but it signifies much to the living ; it either tortures their feelings or hardens their hearts, and in either case it instructs them how to punish when power falls into their hands.

Lay then the axe to the root, and teach governments humanity. It is their sanguinary punishments which corrupt mankind. In England the punishment in certain cases is by *hanging*, *drawing* and *quartering* ; the heart of the sufferer is cut out and held up to the view of the populace. In France, under the former Government, the punishments were not less barbarous. Who does not remember the execution of Damien, torn to pieces by horses ? The effect of those cruel spectacles exhibited to the populace is to destroy tenderness or excite revenge ; and by the base and false idea of governing men by terror, instead of reason, they become precedents. It is over the lowest class of mankind that government by terror is intended to operate, and it is on them that it operates to the worst effect. They have sense enough to feel they are the objects aimed at ; and they inflict in their turn the examples of terror they have been instructed to practise.

There is in all European countries a large class of people

of that description, which in England is called the "*mob*." Of this class were those who committed the burnings and devastations in London in 1780, and of this class were those who carried the heads upon spikes in Paris. Foulon and Berthier were taken up in the country, and sent to Paris, to undergo their examination at the Hotel de Ville; for the National Assembly, immediately on the new ministry coming into office, passed a decree, which they communicated to the King and Cabinet, that they (the National Assembly) would hold the ministry, of which Foulon was one, responsible for the measures they were advising and pursuing; but the mob, incensed at the appearance of Foulon and Berthier, tore them from their conductors before they were carried to the Hotel de Ville, and executed them on the spot. Why then does Mr. Burke charge outrages of this kind on a whole people? As well may he charge the riots and outrages of 1780 on all the people of London, or those in Ireland on all his countrymen.

But everything we see or hear offensive to our feelings and derogatory to the human character should lead to other reflections than those of reproach. Even the beings who commit them have some claim to our consideration. How then is it that such vast classes of mankind as are distinguished by the appellation of the vulgar, or the ignorant mob, are so numerous in all old countries? The instant we ask ourselves this question, reflection feels an answer. They rise, as an unavoidable consequence, out of the ill construction of all old governments in Europe, England included with the rest. It is by distortedly exalting some men, that others are distortedly debased, till the whole is out of nature. A vast mass of mankind are degradedly thrown into the back-ground of the human picture, to bring forward, with greater glare, the puppet-show of state and aristocracy. In the commencement of a revolution, those men are rather the followers of the *camp* than of the *standard* of liberty, and have yet to be instructed how to reverence it.

I give to Mr. Burke all his theatrical exaggerations for facts, and I then ask him if they do not establish the cer-

tainty of what I here lay down? Admitting them to be true, they show the necessity of the French Revolution, as much as any one thing he could have asserted. These outrages were not the effect of the principles of the Revolution, but of the degraded mind that existed before the Revolution, and which the Revolution is calculated to reform. Place them then to their proper cause, and take the reproach of them to your own side.

It is the honour of the National Assembly and the city of Paris that, during such a tremendous scene of arms and confusion, beyond the controul of all authority, they have been able, by the influence of example and exhortation, to restrain so much. Never were more pains taken to instruct and enlighten mankind, and to make them see that their interest consisted in their virtue, and not in their revenge, than have been displayed in the Revolution of France. I now proceed to make some remarks on Mr. Burke's account of the expedition to Versailles, October the 5th and 6th.

I can consider Mr. Burke's book in scarcely any other light than a dramatic performance; and he must, I think, have considered it in the same light himself, by the poetical liberties he has taken of omitting some facts, distorting others, and making the whole machinery bend to produce a stage effect. Of this kind is his account of the expedition to Versailles. He begins this account by omitting the only facts which as causes are known to be true; everything beyond these is conjecture, even in Paris; and he then works up a tale accommodated to his own passions and prejudices.

It is to be observed throughout Mr. Burke's book that he never speaks of plots *against* the Revolution; and it is from those plots that all the mischiefs have arisen. It suits his purpose to exhibit the consequences without their causes. It is one of the arts of the drama to do so. If the crimes of men were exhibited with their sufferings, stage effect would sometimes be lost, and the audience would be inclined to approve where it was intended they should commiserate.

After all the investigations that have been made into this

intricate affair (the expedition to Versailles), it still remains enveloped in all that kind of mystery which ever accompanies events produced more from a concurrence of awkward circumstances than from fixed design. While the characters of men are forming, as is always the case in revolutions, there is a reciprocal suspicion, and a disposition to misinterpret each other; and even parties directly opposite in principle will sometimes concur in pushing forward the same movement with very different views, and with the hopes of its producing very different consequences. A great deal of this may be discovered in this embarrassed affair, and yet the issue of the whole was what nobody had in view.

The only things certainly known are that considerable uneasiness was at this time excited at Paris by the delay of the King in not sanctioning and forwarding the decrees of the National Assembly, particularly that of the *Declaration of the Rights of Man*, and the decrees of the *fourth of August*, which contained the foundation principles on which the constitution was to be erected. The kindest, and perhaps the fairest conjecture upon this matter is, that some of the ministers intended to make remarks and observations upon certain parts of them before they were finally sanctioned and sent to the provinces; but be this as it may, the enemies of the Revolution derived hope from the delay, and the friends of the Revolution uneasiness.

During this state of suspense, the *Garde du Corps*, which was composed as such regiments generally are, of persons much connected with the Court, gave an entertainment at Versailles (October 1) to some foreign regiments then arrived; and when the entertainment was at the height, on a signal given, the *Garde du Corps* tore the national cockade from their hats, trampled it under foot, and replaced it with a counter-cockade prepared for the purpose. An indignity of this kind amounted to defiance. It was like declaring war; and if men will give challenges they must expect consequences. But all this Mr. Burke has carefully kept out of sight. He begins his account by saying: "History will record that on the morning of the 6th October, 1789, the

King and Queen of France, after a day of confusion, alarm, dismay, and slaughter, lay down under the pledged security of public faith to indulge nature in a few hours of respite, and troubled melancholy repose." This is neither the sober stile of history, nor the intention of it. It leaves everything to be guessed at and mistaken. One would at least think there had been a battle; and a battle there probably would have been had it not been for the moderating prudence of those whom Mr. Burke involves in his censures. By his keeping the *Garde du Corps* out of sight Mr. Burke has afforded himself the dramatic licence of putting the King and Queen in their places, as if the object of the expedition was against them. But to return to my account—

This conduct of the *Garde du Corps*, as might well be expected, alarmed and enraged the Parisians. The colors of the cause, and the cause itself, were become too united to mistake the intention of the insult, and the Parisians were determined to call the *Garde du Corps* to an account. There was certainly nothing of the cowardice of assassination in marching in the face of the day to demand satisfaction, if such a phrase may be used, of a body of armed men who had voluntarily given defiance. But the circumstance which serves to throw this affair into embarrassment is, that the enemies of the Revolution appear to have encouraged it as well as its friends. The one hoped to prevent a civil war by checking it in time, and the other to make one. The hopes of those opposed to the Revolution rested in making the King of their party, and getting him from Versailles to Metz, where they expected to collect a force and set up a standard. We have, therefore, two different objects presenting themselves at the same time, and to be accomplished by the same means: the one to chastise the *Garde du Corps*, which was the object of the Parisians; the other to render the confusion of such a scene an inducement to the King to set off for Metz.

On the 5th of October a very numerous body of women, and men in the disguise of women, collected round the Ho-

tel de Ville or town-hall at Paris, and set off for Versailles. Their professed object was the *Garde du Corps*; but prudent men readily recollect that mischief is more easily begun than ended; and this impressed itself with the more force from the suspicions already stated, and the irregularity of such a cavalcade. As soon, therefore, as a sufficient force could be collected, M. de la Fayette, by orders from the civil authority of Paris, set off after them at the head of twenty thousand of the Paris militia. The Revolution could derive no benefit from confusion, and its opposers might. By an amiable and spirited manner of address he had hitherto been fortunate in calming disquietudes, and in this he was extraordinarily successful; to frustrate, therefore, the hopes of those who might seek to improve this scene into a sort of justifiable necessity for the King's quitting Versailles and withdrawing to Metz, and to prevent at the same time the consequences that might ensue between the *Garde du Corps* and this phalanx of men and women, he forwarded expresses to the King, that he was on his march to Versailles, by the orders of the civil authority of Paris, for the purpose of peace and protection, expressing at the same time the necessity of restraining the *Garde du Corps* from firing upon the people.*

He arrived at Versailles between ten and eleven at night. The *Garde du Corps* was drawn up, and the people had arrived some time before, but everything had remained suspended. Wisdom and policy now consisted in changing a scene of danger into a happy event. M. de la Fayette became the mediator between the enraged parties; and the King, to remove the uneasiness which had arisen from the delay already stated, sent for the President of the National Assembly, and signed the *Declaration of the Rights of Man*, and such other parts of the constitution as were in readiness.

It was now about one in the morning. Everything appeared to be composed, and a general congratulation took place. By the beat of a drum a proclamation was made that

* I am warranted in asserting this, as I had it personally from M. de la Fayette, with whom I lived in habits of friendship for fourteen years.—*Author*.

the citizens of Versailles would give the hospitality of their houses to their fellow-citizens of Paris. Those who could not be accommodated in this manner remained in the streets, or took up their quarters in the churches; and at two o'clock the King and Queen retired.

In this state matters passed till the break of day, when a fresh disturbance arose from the censurable conduct of some of both parties, for such characters there will be in all such scenes. One of the *Garde du Corps* appeared at one of the windows of the palace, and the people who had remained during the night in the streets accosted him with reviling and provocative language. Instead of retiring, as in such a case prudence would have dictated, he presented his musket, fired, and killed one of the Paris militia. The peace being thus broken, the people rushed into the palace in quest of the offender. They attacked the quarters of the *Garde de Corps* within the palace, and pursued them throughout the avenues of it, and to the apartments of the King. On this tumult, not the Queen only, as Mr. Burke has represented it, but every person in the palace, was awakened and alarmed; and M. de la Fayette had a second time to interpose between the parties, the event of which was that the *Garde du Corps* put on the national cockade, and the matter ended as by oblivion, after the loss of two or three lives.

During the latter part of the time in which this confusion was acting, the King and Queen were in public at the balcony, and neither of them concealed for safety's sake, as Mr. Burke insinuates. Matters being thus appeased, and tranquility restored, a general acclamation broke forth of *Le Roi à Paris—Le Roi à Paris—The King to Paris*. It was the shout of peace, and immediately accepted on the part of the King. By this measure all future projects of trappanning the King to Metz, and setting up the standard opposition to the constitution, were prevented, and the suspicions extinguished. The King and his family reached Paris in the evening, and were congratulated on their arrival by M. Bailly, the Mayor of Paris, in the name of the citi-

zens. Mr. Burke, who throughout his book confounds things, persons, and principles, as in his remarks on M. Bailly's address, confounded time also. He censures M. Bailly for calling it "*un bon jour*," a good day. Mr. Burke should have informed himself that this scene took up the space of two days, the day on which it began with every appearance of danger and mischief, and the day on which it terminated without the mischiefs that threatened; and that it is to this peaceful termination that M. Bailly alludes, and to the arrival of the King at Paris. Not less than three hundred thousand persons arranged themselves in the procession from Versailles to Paris, and not an act of molestation was committed during the whole march.

Mr. Burke on the authority of M. Lally Tollendal, a deserter from the National Assembly, says, that on entering Paris, the people shouted "*Tous les évêques à la lanterne*." All Bishops to be hanged at the lanthorn or lamp-posts. It is surprising that nobody could hear this but Lally Tollendal, and that nobody should believe it but Mr. Burke. It has not the least connexion with any part of the transaction, and is totally foreign to every circumstance of it. The Bishops had never been introduced before into any scene of Mr. Burke's drama: why then are they, all at once, and altogether, *tout à coup, et tous ensemble*, introduced now? Mr. Burke brings forward his Bishops and his lanthorn-like figures in a magic lanthorn, and raises his scenes by contrast instead of connection. But it serves to show, with the rest of his book what little credit ought to be given where even probability is set at defiance, for the purpose of defaming; and with this reflexion, instead of a soliloquy in praise of chivalry, as Mr. Burke has done, I close the account of the expedition to Versailles.*

I have now to follow Mr. Burke through a pathless wilderness of rhapsodies, and a sort of descant upon govern-

* An account of the expedition to Versailles may be seen in No. 13 of the *Revolution de Paris* containing the events from the 3rd to the 10th of October, 1789.—*Author*.

ments, in which he asserts whatever he pleases, on the presumption of its being believed, without offering either evidence or reasons for so doing.

Before anything can be reasoned upon to a conclusion, certain facts, principles, or data, to reason from, must be established, admitted, or denied. Mr. Burke with his usual outrage, abused the *Declaration of the Rights of Man*, published by the National Assembly of France, as the basis on which the constitution of France is built. This he calls "paltry and blurred sheets of paper about the rights of man." Does Mr. Burke mean to deny that *man* has any rights? If he does, then he must mean that there are no such things as rights anywhere, and that he has none himself; for who is there in the world but man? But if Mr. Burke means to admit that man has rights, the question then will be: What are those rights, and how man came by them originally?

The error of those who reason by precedents drawn from antiquity, respecting the rights of man, is that they do not go far enough into antiquity. They do not go the whole way. They stop in some of the intermediate stages of an hundred or a thousand years, and produce what was then done, as a rule for the present day. This is no authority at all. If we travel still farther into antiquity, we shall find a direct contrary opinion and practice prevailing; and if antiquity is to be authority, a thousand such authorities may be produced, successively contradicting each other; but if we proceed on, we shall at last come out right; we shall come to the time when man came from the hand of his Maker. What was he then? Man. Man was his high and only title, and a higher cannot be given him. But of titles I shall speak hereafter.

We are now got at the origin of man, and at the origin of his rights. As to the manner in which the world has been governed from that day to this, it is no farther any concern of ours than to make a proper use of the errors or the improvements which the history of it presents. Those who lived a hundred or a thousand years ago, were then

moderns, as we are now. They had *their* ancients, and those ancients had others, and we also shall be ancients in our turn. If the mere name of antiquity is to govern in the affairs of life, the people who are to live an hundred or a thousand years hence, may as well take us for a precedent, as we make a precedent of those who lived an hundred or a thousand years ago. The fact is, that portions of antiquity, by proving everything, establish nothing. It is authority against authority all the way, till we come to the divine origin of the rights of man at the creation. Here our enquiries find a resting-place, and our reason finds a home. If a dispute about the rights of man had arisen at the distance of an hundred years from the creation, it is to this source of authority they must have referred, and it is to this same source of authority that we must now refer.

Though I mean not to touch upon any sectarian principle of religion, yet it may be worth observing, that the genealogy of Christ is traced to Adam. Why then not trace the rights of man to the creation of man? I will answer the question. Because there have been upstart governments, thrusting themselves between, and presumptuously working to *un-make* man.

If any generation of men ever possessed the right of dictating the mode by which the world should be governed for ever, it was the first generation that existed; and if that generation did it not, no succeeding generation can show any authority for doing it, nor can set any up. The illuminating and divine principle of the equal rights of man (for it has its origin from the Maker of man) relates, not only to the living individuals, but to generations of men succeeding each other. Every generation is equal in rights to generations which preceded it, by the same rule that every individual is born equal in rights with his contemporary.

Every history of the creation, and every traditionary account, whether from the lettered or unlettered world, however they may vary in their opinion or belief of certain particulars, all agree in establishing one point, *the unity of man*; by which I mean that men are all of *one degree*, and con-

sequently that all men are born equal, and with equal natural right, in the same manner as if posterity had been continued by *creation* instead of *generation*, the latter being the only mode by which the former is carried forward ; and consequently every child born into the world must be considered as deriving its existence from God. The world is as new to him as it was to the first man that existed, and his natural right in it is of the same kind.

The Mosaic account of the creation, whether taken as divine authority or merely historical, is full to this point, *the unity or equality of man*. The expression admits of no controversy. " And God said, Let us make man in our own image. In the image of God created he him ; male and female created he them." The distinction of sexes is pointed out, but no other distinction is even implied. If this be not divine authority, it is at least historical authority, and shews that the equality of man, so far from being a modern doctrine, is the oldest upon record.

It is also to be observed that all the religions known in the world are founded, so far as they relate to man, on the *unity of man*, as being all of one degree. Whether in heaven or in hell, or in whatever state man may be supposed to exist hereafter, the good and the bad are the only distinctions. Nay, even the laws of governments are obliged to slide into this principle, by making degrees to consist in crimes and not in persons.

It is one of the greatest of all truths, and of the highest advantage to cultivate. By considering man in this light, and by instructing him to consider himself in this light, it places him in a close connection with all his duties, whether to his Creator or to the creation, of which he is a part ; and it is only when he forgets his origin, or, to use a more fashionable phrase, his *birth and family*, that he becomes dissolute. It is not among the least of the evils of the present existing governments in all parts of Europe that man, considered as man, is thrown back to a vast distance from his Maker, and the artificial chasm filled up with a succession of barriers, or sort of turnpike gates, through which he has

to pass. I will quote Mr. Burke's catalogue of barriers that he has set up between man and his Maker. Putting himself in the character of a herald, he says : " We fear God—we look with *awe* to kings—with affection to Parliaments—with duty to magistrates—with reverence to priests, and with respect to nobility." Mr. Burke has forgotten to put in " *chivalry*." He has also forgotten to put in Peter.

The duty of man is not a wilderness of turnpike gates, through which he is to pass by tickets from one to the other. It is plain and simple, and consists but of two points. His duty to God, which every man must feel ; and with respect to his neighbor, to do as he would be done by. If those to whom power is delegated do well, they will be respected : if not, they will be despised ; and with regard to those to whom no power is delegated, but who assume it, the rational world can know nothing of them.

Hitherto we have spoken only (and that but in part) of the natural rights of man. We have now to consider the civil rights of man, and to show how the one originates from the other. Man did not enter into society to become *worse* than he was before, nor to have fewer rights than he had before, but to have those rights better secured. His natural rights are the foundation of all his civil rights. But in order to pursue this distinction with more precision, it will be necessary to mark the different qualities of natural and civil rights.

A few words will explain this. Natural rights are those which appertain to man in right of his existence. Of this kind are all the intellectual rights, or rights of the mind, and also all those rights of acting as an individual for his own comfort and happiness, which are not injurious to the natural rights of others. Civil rights are those which appertain to man in right of his being a member of society. Every civil right has for its foundation some natural right pre-existing in the individual, but to the enjoyment of which his individual power is not, in all cases, sufficiently competent. Of this kind are all those which relate to security and protection.

From this short review it will be easy to distinguish be-

tween that class of natural rights which man retains after entering into society and those which he throws into the common stock as a member of society.

The natural rights which he retains are all those in which the *power* to execute is as perfect in the individual as the right itself. Among this class, as is before mentioned, are all the intellectual rights, or rights of the mind; consequently religion is one of those rights. The natural rights which are not retained, are all those in which, though the right is perfect in the individual, the power to execute them is defective. They answer not his purpose. A man, by natural right, has a right to judge in his own cause; and so far as the right of the mind is concerned, he never surrenders it. But what availeth it him to judge, if he has not power to redress? He therefore deposits this right in the common stock of society, and takes the arm of society, of which he is a part, in preference and in addition to his own. Society *grants* him nothing. Every man is a proprietor in society, and draws on the capital as a matter of right.

From these premisses two or three certain conclusions will follow:

First, That every civil right grows out of a natural right; or, in other words, is a natural right exchanged.

Secondly, That civil power properly considered as such is made up of the aggregate of that class of the natural rights of man, which becomes defective in the individual in point of power, and answers not his purpose, but when collected to a focus becomes competent to the purpose of every one.

Thirdly, That the power produced from the aggregate of natural rights, imperfect in power in the individual, cannot be applied to invade the natural rights which are retained in the individual, and in which the power to execute is as perfect as the right itself.

We have now, in a few words, traced man from a natural individual to a member of society, and shewn, or endeavoured to shew, the quality of the natural rights retained, and of those which are exchanged for civil rights. Let us now apply these principles to governments.

In casting our eyes over the world, it is extremely easy to distinguish the governments which have arisen out of society, or out of the social compact, from those which have not; but to place this in a clearer light than what a single glance may afford, it will be proper to take a review of the several sources from which governments have arisen and on which they have been founded.

They may be all comprehended under three heads. First, Superstition. Secondly, Power. Thirdly, the common interest of society and the common rights of man.

The first was a government of priestcraft, the second of conquerors, and the third of reason.

When a set of artful men pretended, through the medium of oracles, to hold intercourse with the Deity, as familiarly as they now march up the back-stairs in European courts, the world was completely under the government of superstition. The oracles were consulted, and whatever they were made to say became the law; and this sort of government lasted as long as this sort of superstition lasted.

After these a race of conquerors arose, whose government, like that of William the Conqueror, was founded in power, and the sword assumed the name of a sceptre. Governments thus established last as long as the power to support them lasts; but that they might avail themselves of every engine in their favor, they united fraud to force, and set up an idol which they called *Divine Right*, and which, in imitation of the Pope, who affects to be spiritual and temporal, and in contradiction to the Founder of the Christian religion, twisted itself afterwards into an idol of another shape, called *Church and State*. The key of St. Peter and the key of the Treasury became quartered on one another, and the wondering cheated multitude worshipped the invention.

When I contemplate the natural dignity of man, when I feel (for Nature has not been kind enough to me to blunt my feelings) for the honour and happiness of its character, I become irritated at the attempt to govern mankind by force and fraud, as if they were all knaves and fools, and can scarcely avoid disgust at those who are thus imposed upon.

We have now to review the governments which arise out of society, in contradistinction to those which arose out of superstition and conquest.

It has been thought a considerable advance towards establishing the principles of Freedom to say that Government is a compact between those who govern and those who are governed; but this cannot be true, because it is putting the effect before the cause; for as man must have existed before governments existed, there necessarily was a time when governments did not exist, and consequently there could originally exist no governors to form such a compact with.

The fact therefore must be that the *individuals themselves*, each in his own personal and sovereign right, *entered into a compact with each other* to produce a government: and this is the only mode in which governments have a right to arise, and the only principle on which they have a right to exist.

To possess ourselves of a clear idea of what government is, or ought to be, we must trace it to its origin. In doing this we shall easily discover that governments must have arisen either *out* of the people or *over* the people. Mr. Burke has made no distinction. He investigates nothing to its source, and therefore he confounds everything; but he has signified his intention of undertaking, at some future opportunity, a comparison between the constitution of England and France. As he thus renders it a subject of controversy by throwing the gauntlet, I take him upon his own ground. It is in high challenges that high truths have the right of appearing; and I accept it with the more readiness because it affords me, at the same time, an opportunity of pursuing the subject with respect to governments arising out of society.

But it will be first necessary to define what is meant by a *Constitution*. It is not sufficient that we adopt the word; we must fix also a standard signification to it.

A constitution is not a thing in name only, but in fact. It has not an ideal, but a real existence; and wherever it cannot be produced in a visible form, there is none. A

constitution is a thing *antecedent* to a government, and a government is only the creature of a constitution. The constitution of a country is not the act of its government, but of the people constituting its government. It is the body of elements, to which you can refer, and quote article by article; and which contains the principles on which the government shall be established, the manner in which it shall be organised, the powers it shall have, the mode of elections, the duration of Parliaments, or by what other name such bodies may be called; the powers which the executive part of the government shall have; and in fine, everything that relates to the complete organization of a civil government, and the principles on which it shall act, and by which it shall be bound. A constitution, therefore, is to a government what the laws made afterwards by that government are to a court of judicature. The court of judicature does not make the laws, neither can it alter them; it only acts in conformity to the laws made: and the government is in like manner governed by the constitution.

Can, then, Mr. Burke produce the English Constitution? If he cannot, we may fairly conclude that though it has been so much talked about, no such thing as a constitution exists, or ever did exist, and consequently that the people have yet a constitution to form.

Mr. Burke will not, I presume, deny the position I have already advanced—namely, that governments arise either *out* of the people or *over* the people. The English Government is one of those which arose out of a conquest, and not out of society, and consequently it arose over the people; and though it has been much modified from the opportunity of circumstances since the time of William the Conqueror, the country has never yet regenerated itself, and is therefore without a constitution.

I readily perceive the reason why Mr. Burke declined going into the comparison between the English and French constitutions, because he could not but perceive, when he sat down to the task, that no such a thing as a constitution existed on his side the question. His book is certainly bulky

enough to have contained all he could say on this subject, and it would have been the best manner in which people could have judged of their separate merits. Why then has he declined the only thing that was worth while to write upon? It was the strongest ground he could take, if the advantages were on his side, but the weakest if they were not; and his declining to take it is either a sign that he could not possess it or could not maintain it.

Mr. Burke said, in a speech last winter in Parliament, "that when the National Assembly first met in three Orders (the Tiers Etats, the Clergy, and the Noblesse), France had then a good constitution." This shews, among numerous other instances, that Mr. Burke does not understand what a constitution is. The persons so met were not a *constitution*, but a *convention*, to make a constitution.

The present National Assembly of France is, strictly speaking, the personal social compact. The members of it are the delegates of the nation in its *original* character; future assemblies will be the delegates of the nation in its *organised* character. The authority of the present Assembly is different from what the authority of future Assemblies will be. The authority of the present one is to form a constitution; the authority of future assemblies will be to legislate according to the principles and forms prescribed in that constitution; and if experience should hereafter shew that alterations, amendments, or additions are necessary, the constitution will point out the mode by which such things shall be done, and not leave it to the discretionary power of the future government.

A government on the principles on which constitutional governments arising out of society are established, cannot have the right of altering itself. If it had, it would be arbitrary. It might make itself what it pleased; and wherever such a right is set up, it shows there is no constitution. The act by which the English Parliament empowered itself to sit seven years, shows there is no constitution in England. It might, by the same self-authority, have sat any great number of years, or for life. The bill which the present Mr.

Pitt brought into Parliament some years ago, to reform Parliament, was on the same erroneous principle. The right of reform is in the nation in its original character, and the constitutional method would be by a general convention elected for the purpose. There is, moreover, a paradox in the idea of vitiated bodies reforming themselves.

From these preliminaries I proceed to draw some comparisons. I have already spoken of the declaration of rights; and as I mean to be as concise as possible, I shall proceed to other parts of the French Constitution.

The constitution of France says, that every man who pays a tax of sixty sous *per annum* (2s. 6d. English) is an elector. What article will Mr. Burke place against this? Can anything be more limited, and at the same time more capricious, than the qualification of electors is in England? Limited—because not one man in an hundred (I speak much within compass) is admitted to vote. Capricious—because the lowest character that can be supposed to exist, and who has not so much as the visible means of an honest livelihood, is an elector in some places: while in other places, the man who pays very large taxes, and has a known fair character, and the farmer who rents to the amount of three or four hundred pounds a year, with a property on that farm to three or four times that amount, is not admitted to be an elector. Everything is out of nature, as Mr. Burke says on another occasion, in this strange chaos, and all sorts of follies are blended with all sorts of crimes. William the Conqueror and his descendants parcelled out the country in this manner, and bribed some parts of it by what they call charters to hold the other parts of it the better subjected to their will. This is the reason why so many of those charters abound in Cornwall; the people were averse to the Government established at the Conquest, and the towns were garrisoned and bribed to enslave the country. All the old charters are the badges of this conquest, and it is from this source that the capriciousness of election arises.

The French Constitution says, that the number of representatives for any place shall be in a ratio to the number of

taxable inhabitants or electors. What article will Mr. Burke place against this? The county of York, which contains nearly a million of souls, sends two county members; and so does the county of Rutland, which contains not an hundredth part of that number. The town of Old Sarum, which contains not three houses, sends two members; and the town of Manchester, which contains upward of sixty thousand souls, is not admitted to send any. Is there any principle in these things?¹ Is there anything by which you can trace the marks of freedom, or discover those of wisdom? No wonder then Mr. Burke has declined the comparison, and endeavored to lead his readers from the point by a wild, unsystematical display of paradoxical rhapsodies.

The French Constitution says that the National Assembly shall be elected every two years. What article will Mr. Burke place against this? Why, that the nation has no right at all in the case; that the government is perfectly arbitrary with respect to this point; and he can quote for his authority the precedent of a former Parliament.

The French Constitution says there shall be no game laws, that the farmer on whose lands wild game shall be found (for it is by the produce of his lands they are fed) shall have a right to what he can take; that there shall be no monopolies of any kind—that all trades shall be free and every man free to follow any occupation by which he can procure an honest livelihood, and in any place, town, or city throughout the nation. What will Mr. Burke say to this? In England, game is made the property of those at whose expense it is not fed; and with respect to monopolies, the country is cut up into monopolies. Every chartered town

¹ The English rotten borough system was quoted in the United States Constitutional Convention, 1787, as precedent for the disproportionate representation embodied in the Senate. But the new Constitution in America had been little studied in 1791 by Paine, and, fortunately for this argument, less by his opponents. In a modern English edition Paine's text is invaded by the anachronism: "It is admitted that all this is altered, but there is much to be done yet, before we have a fair representation of the people."—*Editor*.

is an aristocratical monopoly in itself, and the qualification of electors proceeds out of those chartered monopolies. Is this freedom? Is this what Mr. Burke means by a constitution?

In these chartered monopolies, a man coming from another part of the country is hunted from them as if he were a foreign enemy. An Englishman is not free of his own country; every one of those places presents a barrier in his way, and tells him he is not a freeman—that he has no rights. Within these monopolies are other monopolies. In a city, such for instance as Bath, which contains between twenty and thirty thousand inhabitants, the right of electing representatives to Parliament is monopolised by about thirty-one persons. And within these monopolies are still others. A man even of the same town, whose parents were not in circumstances to give him an occupation, is debarred, in many cases, from the natural right of acquiring one, be his genius or industry what it may.

Are these things examples to hold out to a country regenerating itself from slavery, like France? Certainly they are not, and certain am I, that when the people of England come to reflect upon them they will, like France, annihilate those badges of ancient oppression, those traces of a conquered nation. Had Mr. Burke possessed talents similar to the author of "*On the Wealth of Nations*," he would have comprehended all the parts which enter into, and, by assemblage, form a constitution. He would have reasoned from minutiae to magnitude. It is not from his prejudices only, but from the disorderly cast of his genius, that he is unfitted for the subject he writes upon. Even his genius is without a constitution. It is a genius at random, and not a genius constituted. But he must say something. He has therefore mounted in the air like a balloon, to draw the eyes of the multitude from the ground they stand upon.

Much is to be learned from the French Constitution. Conquest and tyranny transplanted themselves with William the Conqueror from Normandy into England, and the country is yet disfigured with the marks. May, then, the

example of all France contribute to regenerate the freedom which a province of it destroyed!

The French Constitution says that to preserve the national representation from being corrupt no member of the National Assembly shall be an officer of the government, a placeman or a pensioner. What will Mr. Burke place against this? I will whisper his answer; *Loaves and Fishes*. Ah! this government of loaves and fishes has more mischief in it than people have yet reflected on. The National Assembly has made the discovery, and it holds out the example to the world. Had governments agreed to quarrel on purpose to fleece their countries by taxes, they could not have succeeded better than they have done.

Everything in the English government appears to me the reverse of what it ought to be, and of what it is said to be.¹ The Parliament, imperfectly and capriciously elected as it is, is nevertheless *supposed* to hold the national purse in *trust* for the nation; but in the manner in which an English Parliament is constructed it is like a man being both mortgagor¹ and mortgagee, and in the case of misapplication of trust it is the criminal sitting in judgment upon himself. If those who vote the supplies are the same persons who receive the supplies when voted, and are to account for the expenditure of those supplies to those who voted them, it is *themselves accountable to themselves*, and the Comedy of Errors concludes with the pantomime of *Hush*. Neither the Ministerial party nor the Opposition will touch upon this case. The national purse is the common hack which each mounts upon. It is like what the country people call "Ride and tie—you ride a little way, and then I."* They order these things better in France.

¹ In Jordan's addition, which superseded Johnson's (of which only a few copies obtained circulation) this sentence begins, "Many things, etc." But Burke, in his "Appeal," was careful to quote the original sentence.—*Editor*.

* It is a practice in some parts of the country, when two travellers have but one horse, which, like the national purse, will not carry double, that the one mounts and rides two or three miles ahead, and then ties the horse to a gate and walks on. When the second traveller arrives he takes the horse, rides on, and passes his companion a mile or two, and ties again, and so on—*Ride and tie*.—*Author*.

The French Constitution says that the right of war and peace is in the nation. Where else should it reside but in those who are to pay the expense?

In England this right is said to reside in a *metaphor* shown at the Tower for sixpence or a shilling a piece: so are the lions; and it would be a step nearer to reason to say it resided in them, for any inanimate metaphor is no more than a hat or a cap. We can all see the absurdity of worshipping Aaron's molten calf, or Nebuchadnezzar's golden image; but why do men continue to practise themselves the absurdities they despise in others?

It may with reason be said that in the manner the English nation is represented it signifies not where the right resides, whether in the Crown or in the Parliament. War is the common harvest of all those who participate in the division and expenditure of public money, in all countries. It is the art of *conquering at home*; the object of it is an increase of revenue; and as revenue cannot be increased without taxes, a pretence must be made for expenditure. In reviewing the history of the English Government, its wars and its taxes, a bystander, not blinded by prejudice nor warped by interest, would declare that taxes were not raised to carry on wars, but that wars were raised to carry on taxes.

Mr. Burke, as a member of the House of Commons, is a part of the English Government; and though he professes himself an enemy to war, he abuses the French Constitution, which seeks to explode it. He holds up the English Government as a model, in all its parts, to France; but he should first know the remarks which the French make upon it. They contend in favor of their own, that the portion of liberty enjoyed in England is just enough to enslave a country more productively than by despotism, and that as the real object of all despotism is revenue, a government so formed obtains more than it could do either by direct despotism, or in a full state of freedom, and is, therefore on the ground of interest, opposed to both. They account also for the readiness which always appears in such governments for engaging in wars by remarking on the different

motives which produced them. In despotic governments wars are the effect of pride ; but in those governments in which they become the means of taxation, they acquire thereby a more permanent promptitude.

The French Constitution, therefore, to provide against both these evils, has taken away the power of declaring war from kings and ministers, and placed the right where the expence must fall.

When the question of the right of war and peace was agitating in the National Assembly, the people of England appeared to be much interested in the event, and highly to applaud the decision. As a principle it applies as much to one country as another. William the Conqueror, *as a conqueror*, held this power of war and peace in himself, and his descendants have ever since claimed it under him as a right.

Although Mr. Burke has asserted the right of the Parliament at the Revolution to bind and controul the nation and posterity for *ever*, he denies at the same time that the Parliament or the nation had any right to alter what he calls the succession of the crown in anything but in part, or by a sort of modification. By his taking this ground he throws the case back to the *Norman Conquest*, and by thus running a line of succession springing from William the Conqueror to the present day, he makes it necessary to enquire who and what William the Conqueror was, and where he came from, and into the origin, history and nature of what are called prerogatives. Everything must have had a beginning, and the fog of time and antiquity should be penetrated to discover it. Let, then, Mr. Burke bring forward his William of Normandy, for it is to this origin that his argument goes. It also unfortunately happens, in running this line of succession, that another line parallel thereto presents itself, which is that if the succession runs in the line of the conquest, the nation runs in the line of being conquered, and it ought to rescue itself from this reproach. *

But it will perhaps be said that tho' the power of declaring war descends in the heritage of the conquest, it is held in check by the right of Parliament to withhold the supplies.

It will always happen when a thing is originally wrong that amendments do not make it right, and it oftens happens that they do as much mischief one way as good the other, and such is the case here, for if the one rashly declares war as a matter of right, and the other peremptorily withholds the supplies as a matter of right, the remedy becomes as bad, or worse, than the disease. The one forces the nation to a combat, and the other ties its hands; but the more probable issue is that the contest will end in a collusion between the parties, and be made a screen to both.

On this question of war, three things are to be considered. First, the right of declaring it: secondly, the expense of supporting it: thirdly, the mode of conducting it after it is declared. The French constitution places the *right* where the *expense* must fall, and this union can only be in the nation. The mode of conducting it after it is declared, it consigns to the executive department. Were this the case in all countries, we should hear but little more of wars.

Before I proceed to consider other parts of the French Constitution, and by way of relieving the fatigue of argument, I will introduce an anecdote which I had from Dr. Franklin.

While the Doctor resided in France as Minister from America, during the war, he had numerous proposals made to him by projectors of every country and of every kind, who wished to go to the land that floweth with milk and honey, America; and among the rest, there was one who offered himself to be king. He introduced his proposal to the Doctor by letter, which is now in the hands of M. Beaumarchais, of Paris—stating, first, that as the Americans had dismissed or sent away* their King, that they would want another. Secondly, that himself was a Norman. Thirdly, that he was of a more ancient family than the Dukes of Normandy, and of a more honorable descent, his line having never been bastardised. Fourthly, that there was already a precedent in England of kings coming out of

* The word he used was *renvoyé*, dismissed or sent away.—*Author*.

Normandy, and on these grounds he rested his offer, *enjoining* that the Doctor would forward it to America. But as the Doctor neither did this, nor yet sent him an answer, the projector wrote a second letter, in which he did not, it is true, threaten to go over and conquer America, but only with great dignity proposed that if his offer was not accepted, an acknowledgment of about £30,000 might be made to him for his generosity! Now, as all arguments respecting succession must necessarily connect that succession with some beginning, Mr. Burke's arguments on this subject go to show that there is no English origin of kings, and that they are descendants of the Norman line in right of the Conquest. It may, therefore, be of service to his doctrine to make this story known, and to inform him, that in case of that natural extinction to which all mortality is subject, Kings may again be had from Normandy, on more reasonable terms than William the Conqueror; and consequently, that the good people of England, at the revolution of 1688, *might have done much better*, had such a generous Norman as *this* known *their* wants, and they had known *his*. The chivalric character which Mr. Burke so much admires, is certainly much easier to make a bargain with than a *hard dealing Dutchman*. But to return to the matters of the constitution—

The French Constitution says, *There shall be no titles*; and, of consequence, all that class of equivocal generation which in some countries is called "*aristocracy*" and in others "*nobility*," is done away, and the *peer* is exalted into the MAN.

Titles are but nick-names, and every nickname is a title. The thing is perfectly harmless in itself, but it marks a sort of foppery in the human character, which degrades it. It reduces man into the diminutive of man in things which are great, and the counterfeit of women in things which are little. It talks about its fine *blue ribbon* like a girl, and shows its new *garter* like a child. A certain writer, of some antiquity, says: "When I was a child, I thought as a child; but when I became a man, I put away childish things."

It is, properly, from the elevated mind of France that the folly of titles has fallen. It has outgrown the baby clothes of *Count* and *Duke*, and breeched itself in manhood. France has not levelled, it has exalted. It has put down the dwarf, to set up the man. The punyism of a senseless word like *Duke*, *Count* or *Earl* has ceased to please. Even those who possessed them have disowned the gibberish, and as they outgrew the rickets, have despised the rattle. The genuine mind of man, thirsting for its native home, society, contemns the gewgaws that separate him from it. Titles are like circles drawn by the magician's wand, to contract the sphere of man's felicity. He lives immured within the Bastille of a word, and surveys at a distance the envied life of man.

Is it, then, any wonder that titles should fall in France? Is it not a greater wonder that they should be kept up anywhere? What are they? What is their worth, and "what is their amount?" When we think or speak of a *Judge* or a *General*, we associate with it the ideas of office and character; we think of gravity in one and bravery in the other; but when we use the word *merely as a title*, no ideas associate with it. Through all the vocabulary of Adam there is not such an animal as a Duke or a Count; neither can we connect any certain ideas with the words. Whether they mean strength or weakness, wisdom or folly, a child or a man, or the rider or the horse, is all equivocal. What respect then can be paid to that which describes nothing, and which means nothing? Imagination has given figure and character to centaurs, satyrs, and down to all the fairy tribe; but titles baffle even the powers of fancy, and are a chimerical non-descript.

But this is not all. If a whole country is disposed to hold them in contempt, all their value is gone, and none will own them. It is common opinion only that makes them anything, or nothing, or worse than nothing. There is no occasion to take titles away, for they take themselves away when society concurs to ridicule them. This species of imaginary consequence has visibly declined in every part of Europe, and it hastens to its exit as the world of reason continues to rise. There

was a time when the lowest class of what are called nobility was more thought of than the highest is now, and when a man in armour riding throughout Christendom in quest of adventures was more stared at than a modern Duke. The world has seen this folly fall, and it has fallen by being laughed at, and the farce of titles will follow its fate. The patriots of France have discovered in good time that rank and dignity in society must take a new ground. The old one has fallen through. It must now take the substantial ground of character, instead of the chimerical ground of titles; and they have brought their titles to the altar, and made of them a burnt-offering to Reason.

If no mischief had annexed itself to the folly of titles they would not have been worth a serious and formal destruction, such as the National Assembly have decreed them; and this makes it necessary to enquire farther into the nature and character of aristocracy.

That, then, which is called aristocracy in some countries and nobility in others arose out of the governments founded upon conquest. It was originally a military order for the purpose of supporting military government (for such were all governments founded in conquest); and to keep up a succession of this order for the purpose for which it was established, all the younger branches of those families were disinherited and the law of *primogenitureship* set up.

The nature and character of aristocracy shows itself to us in this law. It is the law against every other law of nature, and Nature herself calls for its destruction. Establish family justice, and aristocracy falls. By the aristocratical law of *primogenitureship*, in a family of six children five are exposed. Aristocracy has never more than one child. The rest are begotten to be devoured. They are thrown to the cannibal for prey, and the natural parent prepares the unnatural repast.

As everything which is out of nature in man affects, more or less, the interest of society, so does this. All the children which the aristocracy disowns (which are all except the eldest) are, in general, cast like orphans on a parish, to be

provided for by the public, but at a greater charge. Unnecessary offices and places in governments and courts are created at the expense of the public to maintain them.

With what kind of parental reflexions can the father or mother contemplate their younger offspring? By nature they are children, and by marriage they are heirs; but by aristocracy they are bastards and orphans. They are the flesh and blood of their parents in the one line, and nothing akin to them in the other. To restore, therefore, parents to their children, and children to their parents—relations to each other, and man to society—and to exterminate the monster aristocracy, root and branch—the French Constitution has destroyed the law of PRIMOGENITURESHIP. Here then lies the monster; and Mr. Burke, if he pleases, may write its epitaph.

Hitherto we have considered aristocracy chiefly in one point of view. We have now to consider it in another. But whether we view it before or behind, or sideways, or any way else, domestically or publicly, it is still a monster.

In France aristocracy had one feature less in its countenance than what it has in some other countries. It did not compose a body of hereditary legislators. It was not "*a corporation of aristocracy*," for such I have heard M. de la Fayette describe an English House of Peers. Let us then examine the grounds upon which the French Constitution has resolved against having such a House in France.

Because, in the first place, as is already mentioned, aristocracy is kept up by family tyranny and injustice.

Secondly. Because there is an unnatural unfitness in an aristocracy to be legislators for a nation. Their ideas of *distributive justice* are corrupted at the very source. They begin life by trampling on all their younger brothers and sisters, and relations of every kind, and are taught and educated so to do. With what ideas of justice or honor can that man enter a house of legislation, who absorbs in his own person the inheritance of a whole family of children or doles out to them some pitiful portion with the insolence of a gift?

Thirdly. Because the idea of hereditary legislators is as inconsistent as that of hereditary judges, or hereditary juries; and as absurd as an hereditary mathematician, or an hereditary wise man; and as ridiculous as an hereditary poet laureate.

Fourthly. Because a body of men, holding themselves accountable to nobody, ought not to be trusted by anybody.

Fifthly. Because it is continuing the uncivilised principle of governments founded in conquest, and the base idea of man having property in man, and governing him by personal right.

Sixthly. Because aristocracy has a tendency to deteriorate the human species. By the universal economy of nature it is known, and by the instance of the Jews it is proved, that the human species has a tendency to degenerate, in any small number of persons, when separated from the general stock of society, and inter-marrying constantly with each other. It defeats even its pretended end, and becomes in time the opposite of what is noble in man. Mr. Burke talks of nobility; let him show what it is. The greatest characters the world have known have arisen on the democratic floor. Aristocracy has not been able to keep a proportionate pace with democracy. The artificial NOBLE shrinks into a dwarf before the NOBLE of Nature; and in the few instances of those (for there are some in all countries) in whom nature, as by a miracle, has survived in aristocracy, THOSE MEN DESPISE IT.—But it is time to proceed to a new subject.

The French constitution has reformed the condition of the clergy. It has raised the income of the lower and middle classes, and taken from the higher. None are now less than twelve hundred livres, (fifty pounds sterling) nor any higher than two or three thousand pounds. What will Mr. Burke place against this? Hear what he says.

He says: "That the people of England can see without pain or grudging, an archbishop precede a duke; they can see a Bishop of Durham, or a Bishop of Winchester in possession of £ 10,000 a-year; and cannot see why it is in worse hands than estates to a like amount, in the hands of this

earl or that squire." And Mr. Burke offers this as an example to France.

As to the first part, whether the archbishop precedes the duke, or the duke the bishop, it is, I believe, to the people in general, somewhat like *Sternhold* and *Hopkins*, or *Hopkins* and *Sternhold*; you may put which you please first; and as I confess that I do not understand the merits of this case, I will not contest it with Mr. Burke.

But with respect to the latter, I have something to say. Mr. Burke has not put the case right. The comparison is out of order, by being put between the bishop and the earl or the squire. It ought to be put between the bishop and the curate, and then it will stand thus:— "The people of England can see without pain or grudging, a Bishop of Durham, or a Bishop of Winchester, in possession of ten thousand * pounds a-year, and a curate on thirty or forty pounds a-year, or less." No, sir, they certainly do not see those things without great pain or grudging. It is a case that applies itself to every man's sense of justice, and is one among many that calls aloud for a constitution.

In France the cry of "*the church! the church!*" was repeated as often as in Mr. Burke's book, and as loudly as when the Dissenters' Bill was before the English Parliament; but the generality of the French clergy were not to be deceived by this cry any longer. They knew that whatever the pretence might be, it was they who were one of the principal objects of it. It was the cry of the high beneficed clergy, to prevent any regulation of income taking place between those of ten thousand pounds a-year and the parish priest. They therefore joined their case to those of every other oppressed class of men, and by this union obtained redress.

The French Constitution has abolished tythes, that source of perpetual discontent between the tythe-holder and the parishioner. When land is held on tythe, it is in the condition of an estate held between two parties; the one receiving one-tenth, and the other nine-tenths of the produce: and consequently, on principles of equity, if the estate can be improved, and made to produce by that improvement double

or treble what it did before, or in any other ratio, the expense of such improvement ought to be borne in like proportion between the parties who are to share the produce. But this is not the case in tythes: the farmer bears the whole expense, and the tythe-holder takes a tenth of the improvement, in addition to the original tenth, and by this means gets the value of two-tenths instead of one. This is another case that calls for a constitution.

The French Constitution hath abolished or renounced *Toleration* and *Intolerance* also, and hath established UNIVERSAL RIGHT OF CONSCIENCE.

Toleration is not the *opposite* of Intolerance, but is the *counterfeit* of it. Both are despotisms. The one assumes to itself the right of withholding Liberty of Conscience, and the other of granting it. The one is the Pope armed with fire and faggot, and the other is the Pope selling or granting indulgences. The former is church and state, and the latter is church and traffic.

But Toleration may be viewed in a much stronger light. Man worships not himself, but his Maker; and the liberty of conscience which he claims is not for the service of himself, but of his God. In this case, therefore, we must necessarily have the associated idea of two things; the *mortal* who renders the worship, and the IMMORTAL BEING who is worshipped. Toleration, therefore, places itself, not between man and man, nor between church and church, nor between one denomination of religion and another, but between God and man; between the being who worships, and the BEING who is worshipped; and by the same act of assumed authority which it tolerates man to pay his worship, it presumptuously and blasphemously sets itself up to tolerate the Almighty to receive it.

Were a bill brought into any Parliament, entitled, "An Act to tolerate or grant liberty to the Almighty to receive the worship of a Jew or a Turk," or "to prohibit the Almighty from receiving it," all men would startle and call it blasphemy. There would be an uproar. The presumption of toleration in religious matters would then present itself

unmasked ; but the presumption is not the less because the name of " Man " only appears to those laws, for the associated idea of the *worshipper* and the *worshipped* cannot be separated. Who then art thou, vain dust and ashes ! by whatever name thou art called, whether a King, a Bishop, a Church, or a State, a Parliament, or anything else, that obtrudest thine insignificance between the soul of man and its Maker ? Mind thine own concerns. If he believes not as thou believest, it is a proof that thou believest not as he believes, and there is no earthly power can determine between you.

With respect to what are called denominations of religion, if every one is left to judge of its own religion, there is no such thing as a religion that is wrong ; but if they are to judge of each other's religion, there is no such thing as a religion that is right ; and therefore all the world is right, or all the world is wrong. But with respect to religion itself, without regard to names, and as directing itself from the universal family of mankind to the Divine object of all adoration, *it is man bringing to his Maker the fruits of his heart* ; and though those fruits may differ from each other like the fruits of the earth, the grateful tribute of every one is accepted.

A Bishop of Durham, or a Bishop of Winchester, or the archbishop who heads the dukes, will not refuse a tythe-sheaf of wheat because it is not a cock of hay, nor a cock of hay because it is not a sheaf of wheat ; nor a pig, because it is neither one nor the other ; but these same persons, under the figure of an established church, will not permit their Maker to receive the varied tythes of man's devotion.

One of the continual choruses of Mr. Burke's book is " Church and State." He does not mean some one particular church, or some one particular state, but any church and state ; and he uses the term as a general figure to hold forth the political doctrine of always uniting the church with the state in every country, and he censures the National Assembly for not having done this in France. Let us bestow a few thoughts on this subject.

All religions are in their nature kind and benign, and united with principles of morality. They could not have made proselytes at first by professing anything that was vicious, cruel, persecuting, or immoral. Like everything else, they had their beginning; and they proceeded by persuasion, exhortation, and example. How then is it that they lose their native mildness, and become morose and intolerant?

It proceeds from the connection which Mr. Burke recommends. By engendering the church with the state, a sort of mule-animal, capable only of destroying, and not of breeding up, is produced, called *the Church established by Law*. It is a stranger, even from its birth, to any parent mother, on whom it is begotten, and whom in time it kicks out and destroys.

The inquisition in Spain does not proceed from the religion originally professed, but from this mule-animal, engendered between the church and the state. The burnings in Smithfield proceeded from the same heterogeneous production; and it was the regeneration of this strange animal in England afterwards, that renewed rancour and irreligion among the inhabitants, and that drove the people called Quakers and Dissenters to America. Persecution is not an original feature in *any* religion; but it is alway the strongly-marked feature of all law-religions, or religions established by law. Take away the law-establishment, and every religion re-assumes its original benignity. In America, a catholic priest is a good citizen, a good character, and a good neighbour; an episcopalian minister is of the same description: and this proceeds independently of the men, from there being no law-establishment in America.¹

If also we view this matter in a temporal sense, we shall see the ill-effects it has had on the prosperity of nations. The union of church and state has impoverished Spain. The revoking the edict of Nantes drove the silk manufac-

¹ But on his return to America, after writing the "Age of Reason," Paine learned by sad experience that the disestablishment of a church does not imply the disestablishment of Dogmas or of Intolerance.—*Editor*.

ture from that country into England ; and church and state are now driving the cotton manufacture from England to America and France. Let then Mr. Burke continue to preach his antipolitical doctrine of Church and State. It will do some good. The National Assembly will not follow his advice, but will benefit by his folly.* It was by observing the ill effects of it in England, that America has been warned against it ; and it is by experiencing them in France, that the National Assembly have abolished it, and, like America, have established UNIVERSAL RIGHT OF CONSCIENCE, AND UNIVERSAL RIGHT OF CITIZENSHIP.*

I will here cease the comparison with respect to the prin-

* When in any country we see extraordinary circumstances taking place, they naturally lead any man who has a talent for observation and investigation, to enquire into the causes. The manufacturers of Manchester, Birmingham, and Sheffield, are the principal manufacturers in England. From whence did this arise ? A little observation will explain the case. The principal, and the generality of the inhabitants of those places, are not of what is called in England, *the church established by law* : and they, or their fathers, (for it is within but a few years) withdrew from the persecution of the chartered towns, where test-laws more particularly operate, and established a sort of asylum for themselves in those places. It was the only asylum that then offered, for the rest of Europe was worse.—But the case is now changing. France and America bid all comers welcome, and initiate them into all the rights of citizenship. Policy and interest, therefore, will, but perhaps too late, dictate in England, what reason and justice could not. Those manufacturers are withdrawing, and arising in other places. There is now erecting in Passey, three miles from Paris, a large cotton manufactory, and several are already erected in America. Soon after the rejecting the Bill for repealing the test-law, one of the richest manufacturers in England said in my hearing, “ England, Sir, is not a country for a dissenter to live in,—we must go to France.” These are truths, and it is doing justice to both parties to tell them. It is chiefly the dissenters that have carried English manufactures to the height they are now at, and the same men have it in their power to carry them away ; and though those manufactures would afterwards continue in those places, the foreign market will be lost. There frequently appear in the London Gazette, extracts from certain acts to prevent machines and persons, as far as they can extend to persons, from going out of the country. It appears from these that the ill effects of the test-laws and church-establishment begin to be much suspected ; but the remedy of force can never supply the remedy of reason. In the progress of less than a century, all the unrepresented part of England, of all denominations, which is at least an hundred times the most numerous, may begin to feel the necessity of a constitution, and then all those matters will come regularly before them.—*Author.*

ciples of the French constitution, and conclude this part of the subject with a few observations on the organization of the formal parts of the French and English governments.

The executive power in each country is in the hands of a person stiled the King ; but the French constitution distinguishes between the King and the Sovereign : It considers the station of King as official, and places Sovereignty in the nation.

The representatives of the nation, who compose the National Assembly, and who are the legislative power, originate in and from the people by election, as an inherent right in the people.—In England it is otherwise ; and this arises from the original establishment of what is called its monarchy ; for, as by the conquest all the rights of the people or the nation were absorbed into the hands of the Conqueror, and who added the title of King to that of Conqueror, those same matters which in France are now held as rights in the people, or in the nation, are held in England as grants from what is called the crown. The Parliament in England, in both its branches, was erected by patents from the descendants of the conqueror. The House of Commons did not originate as a matter of right in the people to delegate or elect, but as a grant or boon.

By the French Constitution the nation is always named before the king. The third article of the declaration of rights says : “ The nation is essentially the source (or fountain) of all sovereignty.” Mr. Burke argues that in England a king is the fountain—that he is the fountain of all honor. But as this idea is evidently descended from the conquest I shall make no other remark upon it, than that it is the nature of conquest to turn everything upside down ; and as Mr. Burke will not be refused the privilege of speaking twice, and as there are but two parts in the figure, the *fountain* and the *spout*, he will be right the second time. *

The French Constitution puts the legislative before the executive, the law before the king ; *la loi, le roi*. This also is in the natural order of things, because laws must have existence before they can have execution.

A king in France does not, in addressing himself to the National Assembly, say, "My Assembly," similar to the phrase used in England of *my* "Parliament"; neither can he use it consistently with the constitution, nor could it be admitted. There may be propriety in the use of it in England, because as is before mentioned, both Houses of Parliament originated from what is called the crown by patent or boon—and not from the inherent rights of the people, as the National Assembly does in France, and whose name designates its origin.

The President of the National Assembly does not ask the King to grant to the Assembly liberty of speech, as is the case with the English House of Commons. The constitutional dignity of the National Assembly cannot debase itself. Speech is, in the first place, one of the natural rights of man always retained; and with respect to the National Assembly the use of it is their *duty*, and the nation is their *authority*. They were elected by the greatest body of men exercising the right of election the European world ever saw. They sprung not from the filth of rotten boroughs, nor are they the vassal representatives of aristocratical ones. Feeling the proper dignity of their character they support it. Their Parliamentary language, whether for or against a question, is free, bold and manly, and extends to all the parts and circumstances of the case. If any matter or subject respecting the executive department or the person who presides in it (the king) comes before them it is debated on with the spirit of men, and in the language of gentlemen; and their answer or their address is returned in the same style. They stand not aloof with the gaping vacuity of vulgar ignorance, nor bend with the cringe of sycophantic insignificance. The graceful pride of truth knows no extremes, and preserves, in every latitude of life, the right-angled character of man.

Let us now look to the other side of the question. In the addresses of the English Parliaments to their kings we see neither the intrepid spirit of the old Parliaments of France, nor the serene dignity of the present National Assembly; neither do we see in them anything of the stile of

English manners, which border somewhat on bluntness. Since then they are neither of foreign extraction, nor naturally of English production, their origin must be sought for elsewhere, and that origin is the Norman Conquest. They are evidently of the vassalage class of manners, and emphatically mark the prostrate distance that exists in no other condition of men than between the conqueror and the conquered. That this vassalage idea and stile of speaking was not got rid of even at the Revolution of 1688, is evident from the declaration of Parliament to William and Mary in these words: "We do most humbly and faithfully *submit* ourselves, our heirs and posterities, for ever." Submission is wholly a vassalage term, repugnant to the dignity of freedom, and an echo of the language used at the Conquest.

As the estimation of all things is by comparison, the Revolution of 1688, however from circumstances it may have been exalted beyond its value, will find its level. It is already on the wane, eclipsed by the enlarging orb of reason, and the luminous revolutions of America and France. In less than another century it will go, as well as Mr. Burke's labors, "to the family vault of all the Capulets." Mankind will then scarcely believe that a country calling itself free would send to Holland for a man, and clothe him with power on purpose to put themselves in fear of him, and give him almost a million sterling a year for leave to *submit* themselves and their posterity, like bondmen and bondwomen, for ever.

But there is a truth that ought to be made known; I have had the opportunity of seeing it; which is, *that notwithstanding appearances, there is not any description of men that despise monarchy so much as courtiers.* But they well know, that if it were seen by others, as it is seen by them, the juggle could not be kept up; they are in the condition of men who get their living by a show, and to whom the folly of that show is so familiar that they ridicule it; but were the audience to be made as wise in this respect as themselves, there would be an end to the show and the profits with it. The difference between a republican and a courtier with

respect to monarchy, is that the one opposes monarchy, believing it to be something; and the other laughs at it, knowing it to be nothing.

As I used sometimes to correspond with Mr. Burke believing him then to be a man of sounder principles than his book shows him to be, I wrote to him last winter from Paris, and gave him an account how prosperously matters were going on. Among other subjects in that letter, I referred to the happy situation the National Assembly were placed in; that they had taken ground on which their moral duty and their political interest were united. They have not to hold out a language which they do not themselves believe, for the fraudulent purpose of making others believe it. Their station requires no artifice to support it, and can only be maintained by enlightening mankind. It is not their interest to cherish ignorance, but to dispel it. They are not in the case of a ministerial or an opposition party in England, who, though they are opposed, are still united to keep up the common mystery. The National Assembly must throw open a magazine of light. It must show man the proper character of man; and the nearer it can bring him to that standard, the stronger the National Assembly becomes.

In contemplating the French Constitution, we see in it a rational order of things. The principles harmonise with the forms, and both with their origin. It may perhaps be said as an excuse for bad forms, that they are nothing more than forms; but this is a mistake. Forms grow out of principles, and operate to continue the principles they grow from. It is impossible to practise a bad form on anything but a bad principle. It cannot be ingrafted on a good one; and wherever the forms in any government are bad, it is a certain indication that the principles are bad also.

I will here finally close this subject. I began it by remarking that Mr. Burke had *voluntarily* declined going into a comparison of the English and French Constitutions. He apologises (in page 241) for not doing it, by saying that he had not time. Mr. Burke's book was upwards of eight

months in hand, and is extended to a volume of three hundred and sixty-six pages. As his omission does injury to his cause, his apology makes it worse ; and men on the English side of the water will begin to consider, whether there is not some radical defect in what is called the English constitution, that made it necessary for Mr. Burke to suppress the comparison, to avoid bringing it into view.

As Mr. Burke has not written on constitutions so neither has he written on the French Revolution. He gives no account of its commencement or its progress. He only expresses his wonder. "It looks," says he, "to me, as if I were in a great crisis, not of the affairs of France alone, but of all Europe, perhaps of more than Europe. All circumstances taken together, the French Revolution is the most astonishing that has hitherto happened in the world."

As wise men are astonished at foolish things, and other people at wise ones, I know not on which ground to account for Mr. Burke's astonishment ; but certain it is, that he does not understand the French Revolution. It has apparently burst forth like a creation from a chaos, but it is no more than the consequence of a mental revolution priorily existing in France. The mind of the nation had changed beforehand, and the new order of things has naturally followed the new order of thoughts. I will here, as concisely as I can, trace out the growth of the French Revolution, and mark the circumstances that have contributed to produce it.

The despotism of Louis XIV., united with the gaiety of his Court, and the gaudy ostentation of his character, had so humbled, and at the same time so fascinated the mind of France, that the people appeared to have lost all sense of their own dignity, in contemplating that of their Grand Monarch ; and the whole reign of Louis XV., remarkable only for weakness and effeminacy, made no other alteration than that of spreading a sort of lethargy over the nation, from which it shewed no disposition to rise.

The only signs which appeared of the spirit of Liberty during those periods, are to be found in the writings of the French philosophers. Montesquieu, President of the Parlia-

ment of Bordeaux, went as far as a writer under a despotic government could well proceed ; and being obliged to divide himself between principle and prudence, his mind often appears under a veil, and we ought to give him credit for more than he has expressed.

Voltaire, who was both the flatterer and the satirist of despotism, took another line. His forte lay in exposing and ridiculing the superstitions which priest-craft, united with state-craft, had interwoven with governments. It was not from the purity of his principles, or his love of mankind (for satire and philanthropy are not naturally concordant), but from his strong capacity of seeing folly in its true shape, and his irresistible propensity to expose it, that he made those attacks. They were, however, as formidable as if the motive had been virtuous ; and he merits the thanks rather than the esteem of mankind.

On the contrary, we find in the writings of Rousseau, and the Abbé Raynal, a loveliness of sentiment in favor of liberty, that excites respect, and elevates the human faculties ; but having raised this animation, they do not direct its operation, and leave the mind in love with an object, without describing the means of possessing it.

The writings of Quesnay, Turgot, and the friends of those authors, are of the serious kind ; but they labored under the same disadvantage with Montesquieu ; their writings abound with moral maxims of government, but are rather directed to œconomise and reform the administration of the government, than the government itself.

But all those writings and many others had their weight ; and by the different manner in which they treated the subject of government, Montesquieu by his judgment and knowledge of laws, Voltaire by his wit, Rousseau and Raynal by their animation, and Quesnay and Turgot by their moral maxims and systems of œconomy, readers of every class met with something to their taste, and a spirit of political inquiry began to diffuse itself through the nation at the time the dispute between England and the then colonies of America broke out.

In the war which France afterwards engaged in, it is very well known that the nation appeared to be before-hand with the French ministry. Each of them had its view; but those views were directed to different objects; the one sought liberty, and the other retaliation on England. The French officers and soldiers who after this went to America, were eventually placed in the school of Freedom, and learned the practice as well as the principles of it by heart.

As it was impossible to separate the military events which took place in America from the principles of the American Revolution, the publication of those events in France necessarily connected themselves with the principles which produced them. Many of the facts were in themselves principles; such as the declaration of American Independence, and the treaty of alliance between France and America, which recognised the natural rights of man, and justified resistance to oppression.

The then Minister of France, Count Vergennes, was not the friend of America; and it is both justice and gratitude to say, that it was the Queen of France who gave the cause of America a fashion at the French Court. Count Vergennes was the personal and social friend of Dr. Franklin; and the Doctor had obtained, by his sensible gracefulness, a sort of influence over him; but with respect to principles Count Vergennes was a despot.

The situation of Dr. Franklin, as Minister from America to France, should be taken into the chain of circumstances. The diplomatic character is of itself the narrowest sphere of society that man can act in. It forbids intercourse by the reciprocity of suspicion; and a diplomatic is a sort of unconnected atom, continually repelling and repelled. But this was not the case with Dr. Franklin. He was not the diplomatic of a Court, but of MAN. His character as a philosopher had been long established, and his circle of society in France was universal.

Count Vergennes resisted for a considerable time the publication in France of American constitutions, translated into the French language: but even in this he was obliged

to give way to public opinion, and a sort of propriety in admitting to appear what he had undertaken to defend. The American constitutions were to liberty what a grammar is to language: they define its parts of speech, and practically construct them into syntax.

The peculiar situation of the then Marquis de la Fayette is another link in the great chain. He served in America as an American officer under a commission of Congress, and by the universality of his acquaintance was in close friendship with the civil government of America, as well as with the military line. He spoke the language of the country, entered into the discussions on the principles of government, and was always a welcome friend at any election.

When the war closed, a vast reinforcement to the cause of Liberty spread itself over France, by the return of the French officers and soldiers. A knowledge of the practice was then joined to the theory; and all that was wanting to give it real existence was opportunity. Man cannot, properly speaking, make circumstances for his purpose, but he always has it in his power to improve them when they occur, and this was the case in France.

M. Neckar was displaced in May, 1781; and by the ill-management of the finances afterwards, and particularly during the extravagant administration of M. Calonne, the revenue of France, which was nearly twenty-four millions sterling per year, was become unequal to the expenditure, not because the revenue had decreased, but because the expenses had increased; and this was a circumstance which the nation laid hold of to bring forward a Revolution. The English Minister, Mr. Pitt, has frequently alluded to the state of the French finances in his budgets, without understanding the subject. Had the French Parliaments been as ready to register edicts for new taxes as an English Parliament is to grant them, there had been no derangement in the finances, nor yet any Revolution; but this will better explain itself as I proceed.

It will be necessary here to show how taxes were formerly raised in France. The King, or rather the Court or Ministry

acting under the use of that name, framed the edicts for taxes at their own discretion, and sent them to the Parliaments to be registered; for until they were registered by the Parliaments they were not operative. Disputes had long existed between the Court and the Parliaments with respect to the extent of the Parliament's authority on this head. The Court insisted that the authority of Parliaments went no farther than to remonstrate or show reasons against the tax, reserving to itself the right of determining whether the reasons were well or ill-founded; and in consequence thereof, either to withdraw the edict as a matter of choice, or to *order* it to be enregistered as a matter of authority. The Parliaments on their part insisted that they had not only a right to remonstrate, but to reject; and on this ground they were always supported by the nation.

But to return to the order of my narrative. M. Calonne wanted money: and as he knew the sturdy disposition of the Parliaments with respect to new taxes, he ingeniously sought either to approach them by a more gentle means than that of direct authority, or to get over their heads by a manœuvre; and for this purpose he revived the project of assembling a body of men from the several provinces, under the style of an "Assembly of the Notables," or men of note, who met in 1787, and who were either to recommend taxes to the Parliaments, or to act as a Parliament themselves. An Assembly under this name had been called in 1617.

As we are to view this as the first practical step towards the Revolution, it will be proper to enter into some particulars respecting it. The Assembly of the Notables has in some places been mistaken for the States-General, but was wholly a different body, the States-General being always by election. The persons who composed the Assembly of the Notables were all nominated by the king, and consisted of one hundred and forty members. But as M. Calonne could not depend upon a majority of this Assembly in his favor, he very ingeniously arranged them in such a manner as to make forty-four a majority of one hundred and forty; to effect this he disposed of them into seven separate com-

mittees, of twenty members each. Every general question was to be decided, not by a majority of persons, but by a majority of committees; and as eleven votes would make a majority in a committee, and four committees a majority of seven, M. Calonne had good reason to conclude that as forty-four would determine any general question he could not be outvoted. But all his plans deceived him, and in the event became his overthrow.

The then Marquis de la Fayette was placed in the second committee, of which the Count D'Artois was president, and as money matters were the object, it naturally brought into view every circumstance connected with it. M. de la Fayette made a verbal charge against Calonne for selling crown lands to the amount of two millions of livres, in a manner that appeared to be unknown to the king. The Count D'Artois (as if to intimidate, for the Bastille was then in being) asked the Marquis if he would render the charge in writing? He replied that he would. The Count D'Artois did not demand it, but brought a message from the king to that purport. M. de la Fayette then delivered in his charge in writing, to be given to the king, undertaking to support it. No farther proceedings were had upon this affair, but M. Calonne was soon after dismissed by the king and set off to England.

As M. de la Fayette, from the experience of what he had seen in America, was better acquainted with the science of civil government than the generality of the members who composed the Assembly of the Notables could then be, the brunt of the business fell considerably to his share. The plan of those who had a constitution in view was to contend with the Court on the ground of taxes, and some of them openly professed their object. Disputes frequently arose between Count D'Artois and M. de la Fayette upon various subjects. With respect to the arrears already incurred the latter proposed to remedy them by accommodating the expenses to the revenue instead of the revenue to the expenses; and as objects of reform he proposed to abolish the Bastille and all the State prisons throughout the nation

(the keeping of which was attended with great expense), and to suppress *Lettres de Cachet*; but those matters were not then much attended to, and with respect to *Lettres de Cachet*, a majority of the Nobles appeared to be in favour of them.

On the subject of supplying the Treasury by new taxes the Assembly declined taking the matter on themselves, concurring in the opinion that they had not authority. In a debate on this subject M. de la Fayette said that raising money by taxes could only be done by a National Assembly, freely elected by the people, and acting as their representatives. Do you mean, said the Count D'Artois, the *States-General*? M. de la Fayette replied that he did. Will you, said the Count D'Artois, sign what you say to be given to the king? The other replied that he would not only do this but that he would go farther, and say that the effectual mode would be for the king to agree to the establishment of a constitution.

As one of the plans had thus failed, that of getting the Assembly to act as a Parliament, the other came into view, that of recommending. On this subject the Assembly agreed to recommend two new taxes to be enregistered by the Parliament: the one a stamp-tax and the other a territorial tax, or sort of land-tax. The two have been estimated at about five millions sterling per annum. We have now to turn our attention to the Parliaments, on whom the business was again devolving. •

The Archbishop of Thoulouse (since Archbishop of Sens, and now a Cardinal), was appointed to the administration of the finances soon after the dismissal of Calonne. He was also made Prime Minister, an office that did not always exist in France. When this office did not exist, the chief of each of the principal departments transacted business immediately with the King, but when a Prime Minister was appointed they did business only with him. The Archbishop arrived to more state-authority than any minister since the Duke de Choiseul, and the nation was strongly disposed in his favor; but by a line of conduct scarcely to be ac-

counted for he perverted every opportunity, turned out a despot, and sunk into disgrace, and a Cardinal.

The Assembly of the Notables having broken up, the minister sent the edicts for the two new taxes recommended by the Assembly to the Parliaments to be enregistered. They of course came first before the Parliament of Paris, who returned for answer: "that with such a revenue as the nation then supported the name of taxes ought not to be mentioned but for the purpose of reducing them"; and threw both the edicts out.*

On this refusal the Parliament was ordered to Versailles, where, in the usual form, the King held what under the old government was called a Bed of Justice; and the two edicts were enregistered in presence of the Parliament by an order of State, in the manner mentioned, p. 337. On this the Parliament immediately returned to Paris, renewed their session in form, and ordered the enregistering to be struck out, declaring that everything done at Versailles was illegal. All the members of the Parliament were then served with Lettres de Cachet, and exiled to *Trois*; but as they continued as inflexible in exile as before, and as vengeance did not supply the place of taxes, they were after a short time recalled to Paris.

The edicts were again tendered to them, and the Count D'Artois undertook to act as representative of the King. For this purpose he came from Versailles to Paris, in a train of procession; and the Parliament were assembled to receive him. But show and parade had lost their influence in France; and whatever ideas of importance he might set off with, he had to return with those of mortification and disappointment. On alighting from his carriage to ascend the steps of the Parliament House, the crowd (which was numerously collected) threw out trite expressions, saying: "This is Monsieur D'Artois, who wants more of our money to spend." The marked disapprobation which he saw im-

* When the English Minister, Mr. Pitt, mentions the French finances again in the English Parliament, it would be well that he noticed this as an example.
—*Author*.

pressed him with apprehensions, and the word *Aux armes !* (*To arms !*) was given out by the officer of the guard who attended him. It was so loudly vociferated, that it echoed through the avenues of the house, and produced a temporary confusion. I was then standing in one of the apartments through which he had to pass, and could not avoid reflecting how wretched was the condition of a disrespected man.*

After this a new subject took place : In the various debates and contests which arose between the Court and the Parliaments on the subject of taxes, the Parliament of Paris at last declared that although it had been customary for Parliaments to enregister edicts for taxes as a matter of convenience, the right belonged only to the *States-General*; and that, therefore, the Parliament could no longer with propriety continue to debate on what it had not authority to act. The King after this came to Paris and held a meeting with the Parliament, in which he continued from ten in the morning till about six in the evening, and, in a manner that appeared to proceed from him as if unconsulted upon with the Cabinet or Ministry, gave his word to the Parliament that the *States-General* should be convened.

But after this another scene arose, on a ground different from all the former. The Minister and the Cabinet were averse to calling the *States-General*. They well knew that if the *States-General* were assembled, themselves must fall; and as the King had not mentioned *any time*, they hit on a project calculated to elude, without appearing to oppose.

For this purpose, the Court set about making a sort of constitution itself. It was principally the work of M. Lamoignon, the Keeper of the Seals, who afterwards shot himself. This new arrangement consisted in establishing a body under the name of a *Cour Plénière*, or Full Court, in which were invested all the powers that the Government might have occasion to make use of. The persons composing this Court were to be nominated by the King; the contended right of taxation was given up on the part of the

* See Note, page 356.

King, and a new criminal code of laws and law proceedings was substituted in the room of the former. The thing, in many points, contained better principles than those upon which the Government had hitherto been administered; but with respect to the *Cour Plénière*, it was no other than a medium through which despotism was to pass, without appearing to act directly from itself.

The Cabinet had high expectations from their new contrivance. The persons who were to compose the *Cour Plénière* were already nominated; and as it was necessary to carry a fair appearance, many of the best characters in the nation were appointed among the number. It was to commence on May 8, 1788; but an opposition arose to it on two grounds—the one as to principle, the other as to form.

On the ground of Principle it was contended that Government had not a right to alter itself, and that if the practice was once admitted it would grow into a principle and be made a precedent for any future alterations the Government might wish to establish: that the right of altering the Government was a national right, and not a right of Government. And on the ground of form it was contended that the *Cour Plénière* was nothing more than a larger Cabinet.

The then Duke de la Rochefoucault, Luxembourg, De Noailles, and many others, refused to accept the nomination, and strenuously opposed the whole plan. When the edict for establishing this new court was sent to the Parliaments to be enregistered and put into execution, they resisted also. The Parliament of Paris not only refused, but denied the authority; and the contest renewed itself between the Parliament and the Cabinet more strongly than ever. While the Parliament were sitting in debate on this subject, the Ministry ordered a regiment of soldiers to surround the House and form a blockade. The members sent out for beds and provisions, and lived as in a besieged citadel: and as this had no effect, the commanding officer was ordered to enter the Parliament House and seize them, which he did, and some of the principal members were shut

up in different prisons. About the same time a deputation of persons arrived from the province of Brittany to remonstrate against the establishment of the *Cour Plénière*, and those the archbishop sent to the Bastille. But the spirit of the nation was not to be overcome, and it was so fully sensible of the strong ground it had taken—that of withholding taxes—that it contented itself with keeping up a sort of quiet resistance, which effectually overthrew all the plans at that time formed against it. The project of the *Cour Plénière* was at last obliged to be given up, and the Prime Minister not long afterwards followed its fate, and M. Neckar was recalled into office.

The attempt to establish the *Cour Plénière* had an effect upon the nation which itself did not perceive. It was a sort of new form of government that insensibly served to put the old one out of sight and to unhinge it from the superstitious authority of antiquity. It was Government dethroning Government; and the old one, by attempting to make a new one, made a chasm.

The failure of this scheme renewed the subject of convening the States-General; and this gave rise to a new series of politics. There was no settled form for convening the States-General: all that it positively meant was a deputation from what was then called the Clergy, the Noblesse, and the Commons; but their numbers or their proportions had not been always the same. They had been convened only on extraordinary occasions, the last of which was in 1614; their numbers were then in equal proportions, and they voted by orders.

It could not well escape the sagacity of M. Neckar, that the mode of 1614 would answer neither the purpose of the then government nor of the nation. As matters were at that time circumstanced it would have been too contentious to agree upon anything. The debates would have been endless upon privileges and exemptions, in which neither the wants of the Government nor the wishes of the nation for a Constitution would have been attended to. But as he did not chuse to take the decision upon himself, he summoned again

the *Assembly of the Notables* and referred it to them. This body was in general interested in the decision, being chiefly of aristocracy and high-paid clergy, and they decided in favor of the mode of 1614. This decision was against the sense of the Nation, and also against the wishes of the Court; for the aristocracy opposed itself to both and contended for privileges independent of either. The subject was then taken up by the Parliament, who recommended that the number of the Commons should be equal to the other two: and they should all sit in one house and vote in one body. The number finally determined on was 1,200; 600 to be chosen by the Commons (and this was less than their proportion ought to have been when their worth and consequence is considered on a national scale), 300 by the Clergy, and 300 by the Aristocracy; but with respect to the mode of assembling themselves, whether together or apart, or the manner in which they should vote, those matters were referred.*

The election that followed, was not a contested election, but an animated one. The candidates were not men, but

* Mr. Burke, (and I must take the liberty of telling him that he is very unacquainted with French affairs,) speaking upon this subject, says, "The first thing that struck me in calling the States-General, was a great departure from the ancient course;"—and he soon after says, "From the moment I read the list, I saw distinctly, and very nearly as it has happened, all that was to follow."—Mr. Burke certainly did not see all that was to follow. I endeavored to impress him, as well before as after the States-General met, that there would be a *revolution*; but was not able to make him see it, neither would he believe it. How then he could distinctly see all the parts, when the whole was out of sight, is beyond my comprehension. And with respect to the "departure from the ancient course," besides the natural weakness of the remark, it shews that he is unacquainted with circumstances. The departure was necessary, from the experience had upon it, that the ancient course was a bad one. The States-General of 1614 were called at the commencement of the civil war in the minority of Louis XIII.; but by the class of arranging them by orders, they increased the confusion they were called to compose. The author of *L'Intrigue du Cabinet*, (Intrigue of the Cabinet,) who wrote before any revolution was thought of in France, speaking of the States-General of 1614, says, "They held the public in suspense five months; and by the questions agitated therein, and the heat with which they were put, it appears that the great (*les grands*) thought more to satisfy their *particular* passions, than to procure the goods of the nation; and the whole time passed away in altercations, ceremonies and parade." *L'Intrigue du Cabinet*, vol. i. p. 329.—*Author*.

principles. Societies were formed in Paris, and committees of correspondence and communication established throughout the nation, for the purpose of enlightening the people, and explaining to them the principles of civil government; and so orderly was the election conducted, that it did not give rise even to the rumor of tumult.

The States-General were to meet at Versailles in April 1789, but did not assemble till May. They situated themselves in three separate chambers, or rather the Clergy and Aristocracy withdrew each into a separate chamber. The majority of the Aristocracy claimed what they called the privilege of voting as a separate body, and of giving their consent or their negative in that manner; and many of the bishops and the high-beneficed clergy claimed the same privilege on the part of their Order. *

- The *Tiers Etat* (as they were then called) disowned any knowledge of artificial orders and artificial privileges; and they were not only resolute on this point, but somewhat disdainful. They began to consider the Aristocracy as a kind of fungus growing out of the corruption of society, that could not be admitted even as a branch of it; and from the disposition the Aristocracy has shown by upholding Lettres de Cachet, and in sundry other instances, it was manifest
- that no constitution could be formed by admitting men in any other character than as National Men.

After various altercations on this head, the *Tiers Etat* or Commons (as they were then called) declared themselves (on a motion made for that purpose by the Abbé Sieyes) "THE REPRESENTATIVE OF THE NATION; and that the two Orders could be considered but as deputies of corporations, and could only have a deliberate voice when they assembled in a national character with the national representatives." This proceeding extinguished the style of *Etats Généraux*, or States-General, and erected it into the style it now bears, that of *L'Assemblée Nationale*, or National Assembly.

- This motion was not made in a precipitate manner. It was the result of cool deliberation, and concerned between the national representatives and the patriotic members of

the two chambers, who saw into the folly, mischief, and injustice of artificial privileged distinctions. It was become evident, that no constitution, worthy of being called by that name, could be established on anything less than a national ground. The Aristocracy had hitherto opposed the despotism of the Court, and affected the language of patriotism ; but it opposed it as its rival (as the English Barons opposed King John), and it now opposed the nation from the same motives.

On carrying this motion, the national representatives, as had been concerted, sent an invitation to the two chambers, to unite with them in a national character, and proceed to business. A majority of the clergy, chiefly of the parish priests, withdrew from the clerical chamber, and joined the nation ; and forty-five from the other chamber joined in like manner. There is a sort of secret history belonging to this last circumstance, which is necessary to its explanation ; it was not judged prudent that all the patriotic members of the chamber styling itself the Nobles, should quit it at once ; and in consequence of this arrangement, they drew off by degrees, always leaving some, as well to reason the case, as to watch the suspected. In a little time the numbers increased from forty-five to eighty, and soon after to a greater number ; which, with the majority of the clergy, and the whole of the national representatives, put the malcontents in a very diminutive condition.

The King, who, very different from the general class called by that name, is a man of a good heart, shewed himself disposed to recommend a union of the three chambers, on the ground the National Assembly had taken ; but the malcontents exerted themselves to prevent it, and began now to have another project in view. Their numbers consisted of a majority of the aristocratical chamber, and the minority of the clerical chamber, chiefly of bishops and high-beneficed clergy ; and these men were determined to put everything to issue, as well by strength as by stratagem. They had no objection to a constitution ; but it must be such a one as themselves should dictate, and suited to their own views

and particular situations. On the other hand, the Nation disowned knowing anything of them but as citizens, and was determined to shut out all such up-start pretensions. The more aristocracy appeared, the more it was despised; there was a visible imbecility and want of intellects in the majority, a sort of *je ne sais quoi*, that while it affected to be more than citizen, was less than man. It lost ground from contempt more than from hatred; and was rather jeered at as an ass, than dreaded as a lion. This is the general character of aristocracy, or what are called Nobles or Nobility, or rather No-ability, in all countries.

The plan of the mal-contents consisted now of two things; either to deliberate and vote by chambers (or orders), more especially on all questions respecting a Constitution (by which the aristocratical chamber would have had a negative on any article of the Constitution); or, in case they could not accomplish this object, to overthrow the National Assembly entirely.

To effect one or other of these objects they began to cultivate a friendship with the despotism they had hitherto attempted to rival, and the Count D'Artois became their chief. The king (who has since declared himself deceived into their measures) held, according to the old form, a *Bed of Justice*, in which he accorded to the deliberation and vote *par tête* (by head) upon several subjects; but reserved the deliberation and vote upon all questions respecting a constitution to the three chambers separately. • This declaration of the king was made against the advice of M. Neckar, who now began to perceive that he was growing out of fashion at Court, and that another minister was in contemplation.

As the form of sitting in separate chambers was yet apparently kept up, though essentially destroyed, the national representatives immediately after this declaration of the King resorted to their own chambers to consult on a protest against it; and the minority of the chamber (calling itself the Nobles), who had joined the national cause, retired to a private house to consult in like manner. The mal-contents had by this time concerted their measures with

the court, which the Count D'Artois undertook to conduct ; and as they saw from the discontent which the declaration excited, and the opposition making against it, that they could not obtain a control over the intended constitution by a separate vote, they prepared themselves for their final object—that of conspiring against the National Assembly, and overthrowing it.

The next morning the door of the chamber of the National Assembly was shut against them, and guarded by troops ; and the members were refused admittance. On this they withdrew to a tennis-ground in the neighborhood of Versailles, as the most convenient place they could find, and, after renewing their session, took an oath never to separate from each other, under any circumstance whatever, death excepted, until they had established a constitution. As the experiment of shutting up the house had no other effect than that of producing a closer connection in the members, it was opened again the next day, and the public business recommenced in the usual place.

We are now to have in view the forming of the new ministry, which was to accomplish the overthrow of the National Assembly. But as force would be necessary, orders were issued to assemble thirty thousand troops, the command of which was given to Broglio, one of the intended new ministry, who was recalled from the country for this purpose. But as some management was necessary to keep this plan concealed till the moment it should be ready for execution, ^a it is to this policy that a declaration made by Count D'Artois must be attributed, and which is here proper to be introduced.

It could not but occur while the mal-contents continued to resort to their chambers separate from the National Assembly, more jealousy would be excited than if they were mixed with it, and that the plot might be suspected. But as they had taken their ground, and now wanted a pretence for quitting it, it was necessary that one should be devised. This was effectually accomplished by a declaration made by ^a the Count D'Artois : “ *That if they took not a part in the*

National Assembly, the life of the king would be endangered" : on which they quitted their chambers, and mixed with the Assembly, in one body.

At the time this declaration was made, it was generally treated as a piece of absurdity in Count D'Artois calculated merely to relieve the outstanding members of the two chambers from the diminutive situation they were put in; and if nothing more had followed, this conclusion would have been good. But as things best explain themselves by their events, this apparent union was only a cover to the machinations which were secretly going on; and the declaration accommodated itself to answer that purpose. In a little time the National Assembly found itself surrounded by troops, and thousands more were daily arriving. On this a very strong declaration was made by the National Assembly to the King, remonstrating on the impropriety of the measure, and demanding the reason. The King, who was not in the secret of this business, as himself afterwards declared, gave substantially for answer, that he had no other object in view than to preserve the public tranquillity, which appeared to be much disturbed.

But in a few days from this time the plot unravelled itself. M. Neckar and the ministry were displaced, and a new one formed of the enemies of the Revolution; and Broglio, with between twenty-five and thirty thousand foreign troops, was arrived to support them. The mask was now thrown off, and matters were come to a crisis. The event was that in a space of three days the new ministry and their abettors found it prudent to fly the nation; the Bastille was taken, and Broglio and his foreign troops dispersed, as is already related in the former part of this work.

There are some curious circumstances in the history of this short-lived ministry, and this short-lived attempt at a counter-revolution. The Palace of Versailles, where the court was sitting, was not more than four hundred yards distant from the hall where the National Assembly was sitting. The two places were at this moment like the separate headquarters of two combatant armies; yet the Court was

as perfectly ignorant of the information which had arrived from Paris to the National Assembly, as if it had resided at an hundred miles distance. The then Marquis de la Fayette, who (as has been already mentioned) was chosen to preside in the National Assembly on this particular occasion, named by order of the Assembly three successive deputations to the king, on the day and up to the evening on which the Bastille was taken, to inform and confer with him on the state of affairs ; but the ministry, who knew not so much as

- that it was attacked, precluded all communication, and were solacing themselves how dextrously they had succeeded ; but in a few hours the accounts arrived so thick and fast that they had to start from their desks and run. Some set off in one disguise, and some in another, and none in their own character. Their anxiety now was to outride the news,
- lest they should be stopt, which, though it flew fast, flew not so fast as themselves.

It is worth remarking that the National Assembly neither pursued those fugitive conspirators, nor took any notice of them, nor sought to retaliate in any shape whatever. Occupied with establishing a constitution founded on the Rights of Man and the Authority of the People, the only authority on which Government has a right to exist in any country, the National Assembly felt none of those mean passions which mark the character of impertinent governments, founding themselves on their own authority, or on the absurdity of hereditary succession. It is the faculty of the human

- mind to become what it contemplates, and to act in unison with its object.

The conspiracy being thus dispersed, one of the first works of the National Assembly, instead of vindictive proclamations, as has been the case with other governments, was to publish a declaration of the Rights of Man, as the basis on which the new constitution was to be built, and which is here subjoined :

DECLARATION
OF THE
RIGHTS OF MAN AND OF CITIZENS,
BY THE NATIONAL ASSEMBLY OF FRANCE.

“THE Representatives of the people of FRANCE, formed into a NATIONAL ASSEMBLY, considering that ignorance, neglect, or contempt of human rights, are the sole causes of public misfortunes and corruptions of Government, have resolved to set forth in a solemn declaration, these natural, imprescriptible, and inalienable rights: that this declaration being constantly present to the minds of the members of the body social, they may be forever kept attentive to their rights and their duties; that the acts of the legislative and executive powers of Government, being capable of being every moment compared with the end of political institutions, may be more respected; and also, that the future claims of the citizens, being directed by simple and incontestible principles, may always tend to the maintenance of the Constitution, and the general happiness.

“For these reasons the NATIONAL ASSEMBLY doth recognise and declare, in the presence of the Supreme Being, and with the hope of his blessing and favor, the following *sacred* rights of men and of citizens:

“*I. Men are born, and always continue, free and equal in respect of their rights. Civil distinctions, therefore, can be founded only on public utility.*

“*II. The end of all political associations is the preservation of the natural and imprescriptible rights of man; and these rights are liberty, property, security, and resistance of oppression.*

“*III. The nation is essentially the source of all sovereignty; nor can any INDIVIDUAL, or ANY BODY OF MEN, be entitled to any authority which is not expressly derived from it.*

“IV. Political Liberty consists in the power of doing whatever does not injure another. The exercise of the

natural rights of every man, has no other limits than those which are necessary to secure to every *other* man the free exercise of the same rights ; and these limits are determinable only by the law.

“ ‘ V. The law ought to prohibit only actions hurtful to society. What is not prohibited by the law should not be hindered ; nor should anyone be compelled to that which the law does not require.

“ ‘ VI. The law is an expression of the will of the community. All citizens have a right to concur, either personally or by their representatives, in its formation. It should be the same to all, whether it protects or punishes ; and all being equal in its sight, are equally eligible to all honors, places, and employments, according to their different abilities, without any other distinction than that created by their virtues and talents.

“ ‘ VII. No man should be accused, arrested, or held in confinement, except in cases determined by the law, and according to the forms which it has prescribed. All who promote, solicit, execute, or cause to be executed, arbitrary orders, ought to be punished, and every citizen called upon, or apprehended by virtue of the law, ought immediately to obey, and renders himself culpable by resistance.

“ ‘ VIII. The law ought to impose no other penalties but such as are absolutely and evidently necessary ; and no one ought to be punished, but in virtue of a law promulgated before the offence, and legally applied.

“ ‘ IX. Every man being presumed innocent till he has been convicted, whenever his detention becomes indispensable, all rigor to him, more than is necessary to secure his person, ought to be provided against by the law.

“ ‘ X. No man ought to be molested on account of his opinions, not even on account of his *religious* opinions, provided his avowal of them does not disturb the public order established by the law.

“ ‘ XI. The unrestrained communication of thoughts and opinions being one of the most precious rights of man, every citizen may speak, write and publish freely, provided

he is responsible for the abuse of this liberty, in cases determined by the law.

“XII. A public force being necessary to give security to the rights of men and of citizens, that force is instituted for the benefit of the community and not for the particular benefit of the persons to whom it is intrusted.

“XIII. A common contribution being necessary for the support of the public force, and for defraying the other expenses of government, it ought to be divided equally among the members of the community, according to their abilities.

“XIV. Every citizen has a right, either by himself or his representative, to a free voice in determining the necessity of public contributions, the appropriation of them, and their amount, mode of assessment, and duration.

“XV. Every community has a right to demand of all its agents an account of their conduct.

“XVI. Every community in which a separation of powers and a security of rights is not provided for, wants a constitution.

“XVII. The right to property being inviolable and sacred, no one ought to be deprived of it, except in cases of evident public necessity, legally ascertained, and on condition of a previous just indemnity.’”

OBSERVATIONS

ON THE

DECLARATION OF RIGHTS.

THE first three articles comprehend in general terms the whole of a Declaration of Rights, all the succeeding articles either originate from them or follow as elucidations. The 4th, 5th, and 6th define more particularly what is only generally expressed in the 1st, 2nd, and 3rd.

The 7th, 8th, 9th, 10th, and 11th articles are declaratory of *principles* upon which laws shall be constructed, conformable

to *rights* already declared. But it is questioned by some very good people in France, as well as in other countries, whether the 10th article sufficiently guarantees the right it is intended to accord with ; besides which it takes off from the divine dignity of religion, and weakens its operative force upon the mind, to make it a subject of human laws. It then presents itself to man like light intercepted by a cloudy medium, in which the source of it is obscured from his sight, and he sees nothing to reverence in the dusky ray.*

The remaining articles, beginning with the twelfth, are substantially contained in the principles of the preceding articles ; but in the particular situation in which France then was, having to undo what was wrong, as well as to set up what was right, it was proper to be more particular than what in another condition of things would be necessary.

While the Declaration of Rights was before the National Assembly some of its members remarked that if a declaration of rights were published it should be accompanied by a Declaration of Duties. The observation discovered a mind that reflected, and it only erred by not reflecting far

* There is a single idea, which, if it strikes rightly upon the mind, either in a legal or a religious sense, will prevent any man or any body of men, or any government, from going wrong on the subject of religion ; which is, that before any human institutions of government were known in the world, there existed, if I may so express it, a compact between God and man, from the beginning of time : and that as the relation and condition which man in his *individual person* stands in towards his Maker cannot be changed by any human laws or human authority, that religious devotion, which is a part of this compact, cannot so much as be made a subject of human laws ; and that all laws must conform themselves to this prior existing compact, and not assume to make the compact conform to the laws, which, besides being human, are subsequent thereto. The first act of man, when he looked around and saw himself a creature which he did not make, and a world furnished for his reception, must have been devotion ; and devotion must ever continue sacred to every individual man, as it appears right to him ; and governments do mischief by interfering.—*Author*.

Edmund Randolph, first Attorney-General of the United States, writing to Madison (Feb. 29, 1788) remarks concerning the new constitution's Art. VI. Sect. 3 : " Does not this exception as to a religious test imply that the Congress, by the general words, had power over religion ?"—*Editor*.

enough. A Declaration of Rights is, by reciprocity, a Declaration of Duties also. Whatever is my right as a man is also the right of another; and it becomes my duty to guarantee as well as to possess.

The first three articles are the basis of Liberty, as well individual as national; nor can any country be called free whose government does not take its beginning from the principles they contain, and continue to preserve them pure; and the whole of the Declaration of Rights is of more value to the world, and will do more good, than all the laws and statutes that have yet been promulgated.

In the declaratory exordium which prefaces the Declaration of Rights we see the solemn and majestic spectacle of a nation opening its commission, under the auspices of its Creator, to establish a Government, a scene so new, and so transcendantly unequalled by anything in the European world, that the name of a Revolution is diminutive of its character, and it rises into a Regeneration of man. What are the present Governments of Europe but a scene of iniquity and oppression? What is that of England? Do not its own inhabitants say it is a market where every man has his price, and where corruption is common traffic at the expense of a deluded people? No wonder, then, that the French Revolution is traduced. Had it confined itself merely to the destruction of flagrant despotism perhaps Mr. Burke and some others had been silent. Their cry now is, "It has gone too far"—that is, it has gone too far for them. It stares corruption in the face, and the venal tribe are all alarmed. Their fear discovers itself in their outrage, and they are but publishing the groans of a wounded vice. But from such opposition the French Revolution, instead of suffering, receives an homage. The more it is struck the more sparks it will emit; and the fear is it will not be struck enough. It has nothing to dread from attacks; truth has given it an establishment, and time will record it with a name as lasting as his own.

Having now traced the progress of the French Revolution through most of its principal stages, from its commencement

to the taking of the Bastille, and its establishment by the Declaration of Rights, I will close the subject with the energetic apostrophe of M. de la Fayette—" *May this great monument, raised to Liberty, serve as a lesson to the oppressor, and an example to the oppressed !* " *

* See page 18 of this work.—N. B. Since the taking of the Bastille, the occurrences have been published : but the matters recorded in this narrative, are prior to that period ; and some of them, as may be easily seen, can be but very little known.—*Author*.

NOTE : The Editor regrets that the following passage, which should have been inserted after the eighth line on page 341, was omitted :

He endeavoured to impress the Parliament by great words, and opened his authority by saying, " The King, our Lord and Master." The Parliament received him very coolly, and with their usual determination not to register the taxes : and in this manner the interview ended.

MISCELLANEOUS CHAPTER.

To prevent interrupting the argument in the preceding part of this work, or the narrative that follows it, I reserved some observations to be thrown together in a Miscellaneous Chapter; by which variety might not be censured for confusion. Mr. Burke's book is *all* Miscellany. His intention was to make an attack on the French Revolution; but instead of proceeding with an orderly arrangement, he has stormed it with a mob of ideas tumbling over and destroying one another.

But this confusion and contradiction in Mr. Burke's Book is easily accounted for.—When a man in a wrong cause attempts to steer his course by anything else than some polar truth or principle, he is sure to be lost. It is beyond the compass of his capacity to keep all the parts of an argument together, and make them unite in one issue, by any other means than having this guide always in view. Neither memory nor invention will supply the want of it. The former fails him, and the latter betrays him.

Notwithstanding the nonsense, for it deserves no better name, that Mr. Burke has asserted about hereditary rights, and hereditary succession, and that a Nation has not a right to form a Government of itself; it happened to fall in his way to give some account of what Government is. "*Government*," says he, "*is a contrivance of human wisdom.*"

Admitting that government is a contrivance of human wisdom, it must necessarily follow, that hereditary succession, and hereditary rights (as they are called), can make no part of it, because it is impossible to make wisdom hereditary; and on the other hand, *that* cannot be a wise contrivance, which in its operation may commit the government

of a nation to the wisdom of an idiot. The ground which Mr. Burke now takes is fatal to every part of his cause. The argument changes from hereditary rights to hereditary wisdom; and the question is, Who is the wisest man? He must now shew that every one in the line of hereditary succession was a Solomon, or his title is not good to be a king. What a stroke has Mr. Burke now made! To use a sailor's phrase, he has *swabbed the deck*, and scarcely left a name legible in the list of Kings; and he has mowed down and thinned the House of Peers, with a scythe as formidable as Death and Time.

But Mr. Burke appears to have been aware of this retort; and he has taken care to guard against it, by making government to be not only a *contrivance* of human wisdom, but a *monopoly* of wisdom. He puts the nation as fools on one side, and places his government of wisdom, all wise men of Gotham, on the other side; and he then proclaims, and says that "*Men have a RIGHT that their WANTS should be provided for by this wisdom.*" Having thus made proclamation, he next proceeds to explain to them what their *wants* are, and also what their *rights* are. In this he has succeeded dextrously, for he makes their wants to be a *want* of wisdom; but as this is cold comfort, he then informs them, that they have a *right* (not to any of the wisdom) but to be governed by it; and in order to impress them with a solemn reverence for this monopoly-government of wisdom, and of its vast capacity for all purposes, possible or impossible, right or wrong, he proceeds with astrological mysterious importance, to tell to them its powers in these words: "The rights of men in government are their advantages; and these are often in balance between differences of good; and in compromises sometimes between *good* and *evil*, and sometimes between *evil* and *evil*. Political reason is a *computing principle*; adding—subtracting—multiplying—and dividing, morally and not metaphysically or mathematically, true moral denominations."

As the wondering audience, whom Mr. Burke supposes himself talking to, may not understand all this learned jar-

gon, I will undertake to be its interpreter. The meaning, then, good people, of all this, is: *That government is governed by no principle whatever ; that it can make evil good, or good evil, just as it pleases. In short, that government is arbitrary power.*

But there are some things which Mr. Burke has forgotten. *First*, he has not shewn where the wisdom originally came from : and *secondly*, he has not shewn by what authority it first began to act. In the manner he introduces the matter, it is either government stealing wisdom, or wisdom stealing government. It is without an origin, and its powers without authority. In short, it is usurpation.

Whether it be from a sense of shame, or from a consciousness of some radical defect in a government necessary to be kept out of sight, or from both, or from any other cause, I undertake not to determine, but so it is, that a monarchical reasoner never traces government to its source, or from its source. It is one of the *shibboleths* by which he may be known. A thousand years hence, those who shall live in America or France, will look back with contemplative pride on the origin of their government, and say, *This was the work of our glorious ancestors !* But what can a monarchical talker say ? What has he to exult in ? Alas he has nothing. A certain something forbids him to look back to a beginning, lest some robber, or some Robin Hood, should rise from the long obscurity of time and say, *I am the origin.* Hard as Mr. Burke labored at the Regency Bill and Hereditary Succession two years ago, and much as he dived for precedents, he still had not boldness enough to bring up William of Normandy, and say, *There is the head of the list ! there is the fountain of honor !* the son of a prostitute, and the plunderer of the English nation.

The opinions of men with respect to government are changing fast in all countries. The Revolutions of America and France have thrown a beam of light over the world, which reaches into man. The enormous expense of governments has provoked people to think, by making them feel ; and when once the veil begins to rend, it admits not of re-

pair. Ignorance is of a peculiar nature: once dispelled, it is impossible to re-establish it. It is not originally a thing of itself, but is only the absence of knowledge; and though man may be *kept* ignorant, he cannot be *made* ignorant. The mind, in discovering truth, acts in the same manner as it acts through the eye in discovering objects; when once any object has been seen, it is impossible to put the mind back to the same condition it was in before it saw it. Those who talk of a counter-revolution in France, show how little they understand of man. There does not exist in the compass of language an arrangement of words to express so much as the means of effecting a counter-revolution. The means must be an obliteration of knowledge; and it has never yet been discovered how to make man *unknow* his knowledge, or *unthink* his thoughts.

Mr. Burke is laboring in vain to stop the progress of knowledge; and it comes with the worse grace from him, as there is a certain transaction known in the city which renders him suspected of being a pensioner in a fictitious name. This may account for some strange doctrine he has advanced in his book, which though he points it at the Revolution Society, is effectually directed against the whole nation.

"The King of England," says he, "holds *his* crown (for it does not belong to the Nation, according to Mr. Burke) in *contempt* of the choice of the Revolution Society, who have not a single vote for a king among them either *individually* or *collectively*; and his Majesty's heirs each in their time and order, will come to the Crown *with the same contempt* of their choice, with which his Majesty has succeeded to that which he now wears."

As to who is King in England or elsewhere, or whether there is any King at all, or whether the people choose a Cherokee chief, or a Hessian hussar for a King, it is not a matter that I trouble myself about—be that to themselves; but with respect to the doctrine, so far as it relates to the Rights of Men and Nations, it is as abominable as anything ever uttered in the most enslaved country under heaven. Whether it sounds worse to my ear, by not being accustomed

to hear such despotism, than what it does to the ear of another person, I am not so well a judge of; but of its abominable principle I am at no loss to judge.

It is not the Revolution Society that Mr. Burke means; it is the Nation, as well in its *original* as in its *representative* character; and he has taken care to make himself understood, by saying that they have not a vote either *collectively* or *individually*. The Revolution Society is composed of citizens of all denominations, and of members of both the Houses of Parliament; and consequently, if there is not a right to a vote in any of the characters, there can be no right to any either in the nation or in its Parliament. This ought to be a caution to every country how it imports foreign families to be kings. It is somewhat curious to observe, that although the people of England had been in the habit of talking about kings, it is always a Foreign House of Kings; hating Foreigners yet governed by them.—It is now the House of Brunswick, one of the petty tribes of Germany.

It has hitherto been the practice of the English Parliaments to regulate what was called the succession (taking it for granted that the Nation then continued to accord to the form of annexing a monarchical branch of its government; for without this the Parliament could not have had authority to have sent either to Holland or to Hanover, or to impose a king upon the nation against its will.) And this must be the utmost limit to which Parliament can go upon this case; but the right of the Nation goes to the *whole* case, because it has the right of changing its *whole* form of government. The right of a Parliament is only a right in trust, a right by delegation, and that but from a very small part of the Nation; and one of its Houses has not even this. But the right of the Nation is an original right, as universal as taxation. The nation is the paymaster of everything, and everything must conform to its general will.

I remember taking notice of a speech in what is called the English House of Peers, by the then Earl of Shelburne, and I think it was at the time he was Minister, which is applic-

able to this case. I do not directly charge my memory with every particular; but the words and the purport, as nearly as I remember, were these: "*That the form of a Government was a matter wholly at the will of the Nation at all times, that if it chose a monarchical form, it had a right to have it so; and if it afterwards chose to be a Republic, it had a right to be a Republic, and to say to a King, 'We have no longer any occasion for you.'*"

When Mr. Burke says that "His Majesty's heirs and successors, each in their time and order, will come to the crown with the *same contempt* of their choice with which His Majesty had succeeded to that he wears," it is saying too much even to the humblest individual in the country; part of whose daily labor goes towards making up the million sterling a-year, which the country gives the person it styles a king. Government with insolence is despotism; but when contempt is added it becomes worse; and to pay for contempt is the excess of slavery. This species of government comes from Germany; and reminds me of what one of the Brunswick soldiers told me, who was taken prisoner by the Americans in the late war: "Ah!" said he, "America is a fine free country, it is worth the people's fighting for; I know the difference by knowing my own: in my country, if the prince says eat straw, we eat straw." God help that country, thought I, be it England or elsewhere, whose liberties are to be protected by German principles of government, and Princes of Brunswick!

As Mr. Burke sometimes speaks of England, sometimes of France, and sometimes of the world, and of government in general, it is difficult to answer his book without apparently meeting him on the same ground. Although principles of Government are general subjects, it is next to impossible, in many cases, to separate them from the idea of place and circumstance, and the more so when circumstances are put for arguments, which is frequently the case with Mr. Burke.

In the former part of his book, addressing himself to the people of France, he says: "No experience has taught us (meaning the English), that in any other course or method

than that of a *hereditary crown*, can our liberties be regularly perpetuated and preserved sacred as our *hereditary right*." I ask Mr. Burke, who is to take them away? M. de la Fayette, in speaking to France, says: "*For a Nation to be free, it is sufficient that she wills it.*" But Mr. Burke represents England as wanting capacity to take care of itself, and that its liberties must be taken care of by a King holding it in "contempt." If England is sunk to this, it is preparing itself to eat straw, as in Hanover, or in Brunswick. But besides the folly of the declaration, it happens that the facts are all against Mr. Burke. It was by the government *being hereditary*, that the liberties of the people were endangered. Charles I. and James II. are instances of this truth; yet neither of them went so far as to hold the Nation in contempt.

As it is sometimes of advantage to the people of one country to hear what those of other countries have to say respecting it, it is possible that the people of France may learn something from Mr. Burke's book, and that the people of England may also learn something from the answers it will occasion. When Nations fall out about freedom, a wide field of debate is opened. The argument commences with the rights of war, without its evils, and as knowledge is the object contended for, the party that sustains the defeat obtains the prize.

Mr. Burke talks about what he calls an hereditary crown, as if it were some production of Nature; or as if, like Time, it had a power to operate, not only independently, but in spite of man; or as if it were a thing or a subject universally consented to. Alas! it has none of those properties, but is the reverse of them all. It is a thing in imagination, the propriety of which is more than doubted, and the legality of which in a few years will be denied.

But, to arrange this matter in a clearer view than what general expression can convey, it will be necessary to state the distinct heads under which (what is called) an hereditary crown, or more properly speaking, an hereditary succession to the Government of a Nation, can be considered; which are,

First, The right of a particular Family to establish itself.

Secondly, The right of a Nation to establish a particular Family.

With respect to the *first* of these heads, that of a Family establishing itself with hereditary powers on its own authority, and independent of the consent of a Nation, all men will concur in calling it despotism; and it would be trespassing on their understanding to attempt to prove it.

But the *second* head, that of a Nation establishing a particular Family with *hereditary powers*, does not present itself as despotism on the first reflexion; but if men will permit a second reflexion to take place, and carry that reflexion forward but one remove out of their own persons to that of their offspring, they will then see that hereditary succession becomes in its consequences the same despotism to others, which they reprobated for themselves. It operates to preclude the consent of the succeeding generations; and the preclusion of consent is despotism. When the person who at any time shall be in possession of a Government, or those who stand in succession to him, shall say to a Nation, I hold this power in "contempt" of you, it signifies not on what authority he pretends to say it. It is no relief, but an aggravation to a person in slavery, to reflect that he was sold by his parent; and as that which heightens the criminality of an act cannot be produced to prove the legality of it, hereditary succession cannot be established as a legal thing.

In order to arrive at a more perfect decision on this head, it will be proper to consider the generation which undertakes to establish a Family with *hereditary powers*, apart and separate from the generations which are to follow; and also to consider the character in which the *first* generation acts with respect to succeeding generations.

The generation which first selects a person, and puts him at the head of its Government, either with the title of King, or any other distinction, acts on its *own choice*, be it wise or foolish, as a free agent for itself. The person so set up is

not hereditary, but selected and appointed ; and the generation who sets him up, does not live under a hereditary government, but under a government of its own choice and establishment. Were the generation who sets him up, and the person so set up, to live for ever, it never could become hereditary succession ; and of consequence hereditary succession can only follow on the death of the first parties.

As, therefore, hereditary succession is out of the question with respect to the *first* generation, we have now to consider the character in which *that* generation acts with respect to the commencing generation, and to all succeeding ones.

It assumes a character, to which it has neither right nor title. It changes itself from a *Legislator* to a *Testator*, and effects to make its Will, which is to have operation after the demise of the makers, to bequeath the Government ; and it not only attempts to bequeath, but to establish on the succeeding generation, a new and different form of Government under which itself lived. Itself, as already observed, lived not under a hereditary Government but under a Government of its own choice and establishment ; and it now attempts, by virtue of a will and testament (and which it has not authority to make), to take from the commencing generation, and all future ones, the rights and free agency by which itself acted.

But, exclusive of the right which any generation has to act collectively as a testator, the objects to which it applies itself in this case, are not within the compass of any law, or of any will or testament.

The rights of men in society, are neither devisable or transferable, nor annihilable, but are descendable only, and it is not in the power of any generation to intercept finally, and cut off the descent. If the present generation, or any other, are disposed to be slaves, it does not lessen the right of the succeeding generation to be free. Wrongs cannot have a legal descent. When Mr. Burke attempts to maintain that the *English nation did at the Revolution of*

1688, most solemnly renounce and abdicate their rights for themselves, and for all their posterity forever, he speaks a language that merits not reply, and which can only excite contempt for his prostitute principles, or pity for his ignorance.

In whatever light hereditary succession, as growing out of the will and testament of some former generation, presents itself, it is an absurdity. A cannot make a will to take from B the property of B, and give it to C ; yet this is the manner in which (what is called) hereditary succession by law operates. A certain former generation made a will, to take away the rights of the commencing generation, and all future ones, and convey those rights to a third person, who afterwards comes forward, and tells them, in Mr. Burke's language, that they have *no rights*, that their rights are already bequeathed to him and that he will govern in *contempt* of them. From such principles, and such ignorance, good Lord deliver the world !

But, after all, what is this metaphor called a crown, or rather what is monarchy ? Is it a thing, or is it a name, or is it a fraud ? Is it a "contrivance of human wisdom," or of human craft to obtain money from a nation under specious pretences ? Is it a thing necessary to a nation ? If it is, in what does that necessity consist, what service does it perform, what is its business, and what are its merits ? Does the virtue consist in the metaphor, or in the man ? Doth the goldsmith that makes the crown, make the virtue also ? Doth it operate like Fortunatus's wishing-cap, or Harlequin's wooden sword ? Doth it make a man a conjurer ? In fine, what is it ? It appears to be something going much out of fashion, falling into ridicule, and rejected in some countries, both as unnecessary and expensive. In America it is considered as an absurdity ; and in France it has so far declined, that the goodness of the man, and the respect for his personal character, are the only things that preserve the appearance of its existence.

If government be what Mr. Burke describes it, "a contrivance of human wisdom," I might ask him, if wisdom was at

such a low ebb in England, that it was become necessary to import it from Holland and from Hanover? But I will do the country the justice to say, that was not the case; and even if it was, it mistook the cargo. The wisdom of every country, when properly exerted, is sufficient for all its purposes; and there could exist no more real occasion in England to have sent for a Dutch Stadtholder, or a German Elector, than there was in America to have done a similar thing. If a country does not understand its own affairs, how is a foreigner to understand them, who knows neither its laws, its manners, nor its language? If there existed a man so transcendently wise above all others, that his wisdom was necessary to instruct a nation, some reason might be offered for monarchy; but when we cast our eyes about a country, and observe how every part understands its own affairs; and when we look around the world, and see that of all men in it, the race of kings are the most insignificant in capacity, our reason cannot fail to ask us—What are those men kept for?

If there is anything in monarchy which we people of America do not understand, I wish Mr. Burke would be so kind as to inform us. I see in America, a government extending over a country ten times as large as England, and conducted with regularity, for a fortieth part of the expense which Government costs in England. If I ask a man in America if he wants a King, he retorts, and asks me if I take him for an idiot? How is it that this difference happens? are we more or less wise than others? I see in America the generality of people living in a style of plenty unknown in monarchical countries; and I see that the principle of its government, which is that of the *equal Rights of Man*, is making a rapid progress in the world.

If monarchy is a useless thing, why is it kept up anywhere? and if a necessary thing, how can it be dispensed with? That *civil government* is necessary, all civilised nations will agree; but civil government is republican government. All that part of the government of England which begins with the office of constable, and proceeds

through the department of magistrate, quarter-sessions, and general assize, including trial by jury, is republican government. Nothing of monarchy appears in any part of it, except in the name which William the Conqueror imposed upon the English, that of obliging them to call him "Their Sovereign Lord the King."

It is easy to conceive that a band of interested men, such as Placemen, Pensioners, Lords of the bed-chamber, Lords of the kitchen, Lords of the necessary-house, and the Lord knows what besides, can find as many reasons for monarchy as their salaries, paid at the expence of the country, amount to ; but if I ask the farmer, the manufacturer, the merchant, the tradesman, and down through all the occupations of life to the common laborer, what service monarchy is to him? he can give me no answer. If I ask him what monarchy is, he believes it is something like a sinecure.

Notwithstanding the taxes of England amount to almost seventeen millions a year, said to be for the expences of Government, it is still evident that the sense of the Nation is left to govern itself, and does govern itself, by magistrates and juries, almost at its own charge, on republican principles, exclusive of the expence of taxes. The salaries of the judges are almost the only charge that is paid out of the revenue. Considering that all the internal government is executed by the people, the taxes of England ought to be the lightest of any nation in Europe ; instead of which, they are the contrary. As this cannot be accounted for on the score of civil government, the subject necessarily extends itself to the monarchical part.

When the people of England sent for George the First (and it would puzzle a wiser man than Mr. Burke to discover for what he could be wanted, or what service he could render), they ought at least to have conditioned for the abandonment of Hanover. Besides the endless German intrigues that must follow from a German Elector being King of England, there is a natural impossibility of uniting in the same person the principles of Freedom and the principles of Despotism, or as it is usually called in England

Arbitrary Power. A German Elector is in his electorate a despot; how then could it be expected that he should be attached to principles of liberty in one country, while his interest in another was to be supported by despotism? The union cannot exist; and it might easily have been foreseen that German Electors would make German Kings, or in Mr. Burke's words, would assume government with "contempt." The English have been in the habit of considering a King of England only in the character in which he appears to them; whereas the same person, while the connection lasts, has a home-seat in another country, the interest of which is different to their own, and the principles of the governments in opposition to each other. To such a person England will appear as a town-residence, and the Electorate as the estate. The English may wish, as I believe they do, success to the principles of liberty in France, or in Germany; but a German Elector trembles for the fate of despotism in his electorate; and the Duchy of Mecklenburgh, where the present Queen's family governs, is under the same wretched state of arbitrary power, and the people in slavish vassalage.

There never was a time when it became the English to watch continental intrigues more circumspectly than at the present moment, and to distinguish the politics of the Electorate from the politics of the Nation. The Revolution of France has entirely changed the ground with respect to England and France, as nations; but the German despots, with Prussia at their head, are combining against liberty; and the fondness of Mr. Pitt for office, and the interest which all his family connections have obtained, do not give sufficient security against this intrigue.

As everything which passes in the world becomes matter for history, I will now quit this subject, and take a concise review of the state of parties and politics in England, as Mr. Burke has done in France.

Whether the present reign commenced with contempt, I leave to Mr. Burke: certain, however, it is, that it had strongly that appearance. The animosity of the English

nation, it is very well remembered, ran high; and, had the true principles of Liberty been as well understood then as they now promise to be, it is probable the Nation would not have patiently submitted to so much. George the First and Second were sensible of a rival in the remains of the Stuarts; and as they could not but consider themselves as standing on their good behaviour, they had prudence to keep their German principles of government to themselves; but as the Stuart family wore away, the prudence became less necessary.

The contest between rights, and what were called prerogatives, continued to heat the nation till some time after the conclusion of the American War, when all at once it fell a calm—Execration exchanged itself for applause, and Court popularity sprung up like a mushroom in a night.

To account for this sudden transition, it is proper to observe that there are two distinct species of popularity; the one excited by merit, and the other by resentment. As the Nation had formed itself into two parties, and each was extolling the merits of its parliamentary champions for and against prerogative, nothing could operate to give a more general shock than an immediate coalition of the champions themselves.¹ The partisans of each being thus suddenly left in the lurch, and mutually heated with disgust at the measure, felt no other relief than uniting in a common execration against both. A higher stimulus of resentment being thus excited than what the contest on prerogatives occasioned, the nation quitted all former objects of rights and wrongs, and sought only that of gratification. The indignation at the Coalition so effectually superseded the indignation against the Court as to extinguish it; and without any change of principles on the part of the Court, the same people who had reprobated its despotism united with it to revenge themselves on the Coalition Parliament. The case was not, which they liked best, but which they hated most; and the least hated passed for love. The dissolution of the

¹ Fox and Lord North, with whom Burke also had united, though he and Fox had once proposed to impeach North.—*Editor*.

Coalition Parliament, as it afforded the means of gratifying the resentment of the Nation, could not fail to be popular; and from hence arose the popularity of the Court.

Transitions of this kind exhibit a Nation under the government of temper, instead of a fixed and steady principle; and having once committed itself, however rashly, it feels itself urged along to justify by continuance its first proceeding. Measures which at other times it would censure it now approves, and acts persuasion upon itself to suffocate its judgment.

On the return of a new Parliament, the new Minister, Mr. Pitt, found himself in a secure majority; and the Nation gave him credit, not out of regard to himself, but because it had resolved to do it out of resentment to another. He introduced himself to public notice by a proposed Reform of Parliament, which in its operation would have amounted to a public justification of corruption. The Nation was to be at the expence of buying up the rotten boroughs, whereas it ought to punish the persons who deal in the traffic.

Passing over the two bubbles of the Dutch business and the million a-year to sink the national debt, the matter which most presents itself, is the affair of the Regency. Never, in the course of my observation, was delusion more successfully acted, nor a nation more completely deceived. But, to make this appear, it will be necessary to go over the circumstances.

Mr. Fox had stated in the House of Commons, that the Prince of Wales, as heir in succession, had a right in himself to assume the Government. This was opposed by Mr. Pitt; and, so far as the opposition was confined to the doctrine, it was just. But the principles which Mr. Pitt maintained on the contrary side were as bad, or worse in their extent, than those of Mr. Fox; because they went to establish an aristocracy over the nation, and over the small representation it has in the House of Commons.¹

¹ George III. having become insane (1788), Pitt held, against Fox and Burke, that the Prince of Wales had no more right than any private individual to reign unless chosen by the two Houses of Parliament. No doubt Paine regarded this as virtually making over to the Peers a providential opportunity for a representative election.—*Editor*.

Whether the English form of Government be good or bad, is not in this case the question ; but, taking it as it stands, without regard to its merits or demerits, Mr. Pitt was farther from the point than Mr. Fox.

It is supposed to consist of three parts :—while therefore the Nation is disposed to continue this form, the parts have a *national standing*, independent of each other, and are not the creatures of each other. Had Mr. Fox passed through Parliament, and said that the person alluded to claimed on the ground of the Nation, Mr. Pitt must then have contended what he called the right of the Parliament against the right of the Nation.

By the appearance which the contest made, Mr. Fox took the hereditary ground, and Mr. Pitt the Parliamentary ground ; but the fact is, they both took hereditary ground, and Mr. Pitt took the worst of the two.

What is called the Parliament is made up of two Houses, one of which is more hereditary, and more beyond the controul of the Nation than what the Crown (as it is called) is supposed to be. It is an hereditary aristocracy, assuming and asserting indefeasible, irrevocable, rights and authority, wholly independent of the Nation. Where, then, was the merited popularity of exalting this hereditary power over another hereditary power less independent of the Nation than what itself assumed to be, and of absorbing the rights of the Nation into a House over which it has neither election nor controul ?

The general impulse of the Nation was right ; but it acted without reflection. It approved the opposition made to the right set up by Mr. Fox, without perceiving that Mr. Pitt was supporting another indefeasible right more remote from the Nation, in opposition to it.

With respect to the House of Commons, it is elected but by a small part of the Nation ; but were the election as universal as taxation, which it ought to be, it would still be only the organ of the Nation, and cannot possess inherent rights. —When the National Assembly of France resolves a matter, the resolve is made in right of the Nation ; but Mr. Pitt,

on all national questions, so far as they refer to the House of Commons, absorbs the rights of the Nation into the organ, and makes the organ into a Nation, and the Nation itself into a cypher.

In a few words, the question on the Regency was a question of a million a-year, which is appropriated to the executive department: and Mr. Pitt could not possess himself of any management of this sum, without setting up the supremacy of Parliament; and when this was accomplished, it was indifferent who should be Regent, as he must be Regent at his own cost. Among the curiosities which this contentious debate afforded, was that of making the Great Seal into a King, the affixing of which to an act was to be royal authority. If, therefore, Royal Authority is a Great Seal, it consequently is in itself nothing; and a good Constitution would be of infinitely more value to the Nation than what the three Nominal Powers, as they now stand, are worth.

The continual use of the word *Constitution* in the English Parliament shews there is none; and that the whole is merely a form of government without a Constitution, and constituting itself with what powers it pleases. If there were a Constitution, it certainly could be referred to; and the debate on any constitutional point would terminate by producing the Constitution. One member says this is Constitution, and another says that is Constitution—To-day it is one thing; and to-morrow something else—while the maintaining of the debate proves there is none. Constitution is now the cant word of Parliament, tuning itself to the ear of the Nation. Formerly it was the *universal supremacy of Parliament*—the *omnipotence of Parliament*: But since the progress of Liberty in France, those phrases have a despotic harshness in their note; and the English Parliament have caught the fashion from the National Assembly, but without the substance, of speaking of *Constitution*.

As the present generation of the people in England did not make the Government, they are not accountable for any of its defects; but, that sooner or later, it must come into their hands to undergo a constitutional reformation, is as

certain as that the same thing has happened in France. If France, with a revenue of nearly twenty-four millions sterling, with an extent of rich and fertile country above four times larger than England, with a population of twenty-four millions of inhabitants to support taxation, with upwards of ninety millions sterling of gold and silver circulating in the nation, and with a debt less than the present debt of England—still found it necessary, from whatever cause, to come to a settlement of its affairs, it solves the problem of funding for both countries.

It is out of the question to say how long what is called the English constitution has lasted, and to argue from thence how long it is to last; the question is, how long can the funding system last? It is a thing but of modern invention, and has not yet continued beyond the life of a man; yet in that short space it has so far accumulated, that, together with the current expenses, it requires an amount of taxes at least equal to the whole landed rental of the nation in acres to defray the annual expenditure. That a government could not have always gone on by the same system which has been followed for the last seventy years, must be evident to every man; and for the same reason it cannot always go on.

The funding system is not money; neither is it, properly speaking, credit. It, in effect, creates upon paper the sum which it appears to borrow, and lays on a tax to keep the imaginary capital alive by the payment of interest and sends the annuity to market, to be sold for paper already in circulation. If any credit is given, it is to the disposition of the people to pay the tax, and not to the government, which lays it on. When this disposition expires, what is supposed to be the credit of Government expires with it. The instance of France under the former Government shews that it is impossible to compel the payment of taxes by force, when a whole nation is determined to take its stand upon that ground,

Mr. Burke, in his review of the finances of France, states the quantity of gold and silver in France, at about eighty-

eight millions sterling. In doing this, he has, I presume, divided by the difference of exchange, instead of the standard of twenty-four livres to a pound sterling; for M. Neckar's statement, from which Mr. Burke's is taken, is *two thousand two hundred millions of livres*, which is upwards of ninety-one millions and a half sterling.

M. Neckar in France, and Mr. George Chalmers at the Office of Trade and Plantation in England, of which Lord Hawkesbury is president, published nearly about the same time (1786) an account of the quantity of money in each nation, from the returns of the Mint of each Nation. Mr. Chalmers, from the returns of the English Mint at the Tower of London, states the quantity of money in England, including Scotland and Ireland, to be twenty millions sterling.*

M. Neckar † says that the amount of money in France, re-coined from the old coin which was called in, was two thousand five hundred millions of livres (upwards of one hundred and four millions sterling); and, after deducting for waste, and what may be in the West Indies and other possible circumstances, states the circulation quantity at home to be ninety-one millions and a half sterling; but, taking it as Mr. Burke has put it, it is sixty-eight millions more than the national quantity in England.

That the quantity of money in France cannot be under this sum, may at once be seen from the state of the French Revenue, without referring to the records of the French Mint for proofs. The revenue of France, prior to the Revolution, was nearly twenty-four millions sterling; and as paper had then no existence in France the whole revenue was collected upon gold and silver; and it would have been impossible to have collected such a quantity of revenue upon a less national quantity than M. Neckar has stated. Before the establishment of paper in England, the revenue was about a fourth part of the national amount of gold and

* See "Estimate of the Comparative Strength of Great Britain," by G. Chalmers.—*Author*.

† See "Administration of the Finances of France," vol. iii., by M. Neckar.—*Author*.

silver, as may be known by referring to the revenue prior to King William, and the quantity of money stated to be in the nation at that time, which was nearly as much as it is now.

It can be of no real service to a nation, to impose upon itself, or to permit itself to be imposed upon; but the prejudices of some, and the imposition of others, have always represented France as a nation possessing but little money—whereas the quantity is not only more than four times what the quantity is in England, but is considerably greater on a proportion of numbers. To account for this deficiency on the part of England, some reference should be had to the English system of funding. It operates to multiply paper, and to substitute it in the room of money, in various shapes; and the more paper is multiplied, the more opportunities are offered to export the specie; and it admits of a possibility (by extending it to small notes) of increasing paper till there is no money left.

I know this is not a pleasant subject to English readers; but the matters I am going to mention, are so important in themselves, as to require the attention of men interested in money transactions of a public nature. There is a circumstance stated by M. Neckar, in his treatise on the administration of the finances, which has never been attended to in England, but which forms the only basis whereon to estimate the quantity of money (gold and silver) which ought to be in every nation in Europe, to preserve a relative proportion with other nations.

Lisbon and Cadiz are the two ports into which (money) gold and silver from South America are imported, and which afterwards divide and spread themselves over Europe by means of commerce, and increase the quantity of money in all parts of Europe. If, therefore, the amount of the annual importation into Europe can be known, and the relative proportion of the foreign commerce of the several nations by which it can be distributed can be ascertained, they give a rule sufficiently true, to ascertain the quantity of money which ought to be found in any nation, at any given time.

M. Neckar shews from the registers of Lisbon and Cadiz, that the importation of gold and silver into Europe, is five millions sterling annually. He has not taken it on a single year, but on an average of fifteen succeeding years, from 1763 to 1777, both inclusive; in which time, the amount was one thousand eight hundred million livres, which is seventy-five millions sterling.*

From the commencement of the Hanover succession in 1714 to the time Mr. Chalmers published, is seventy-two years; and the quantity imported into Europe, in that time, would be three hundred and sixty millions sterling.

If the foreign commerce of Great Britain be stated at a sixth part of what the whole foreign commerce of Europe amounts to (which is probably an inferior estimation to what the gentlemen at the Exchange would allow) the proportion which Britain should draw by commerce of this sum, to keep herself on a proportion with the rest of Europe, would be also a sixth part which is sixty millions sterling; and if the same allowance for waste and accident be made for England which M. Neckar makes for France, the quantity remaining after these deductions would be fifty-two millions; and this sum ought to have been in the nation (at the time Mr. Chalmers published), in addition to the sum which was in the nation at the commencement of the Hanover succession, and to have made in the whole at least sixty-six millions sterling; instead of which there were but twenty millions, which is forty-six millions below its proportionate quantity.

As the quantity of gold and silver imported into Lisbon and Cadiz is more exactly ascertained than that of any commodity imported into England, and as the quantity of money coined at the Tower of London is still more positively known, the leading facts do not admit of controversy. Either, therefore, the commerce of England is unproductive of profit, or the gold and silver which it brings in leak continually away by unseen means at the average rate of about three-quarters of a million a year, which, in the course of

* "Administration of the Finances of France," vol. iii.—*Author*.

seventy-two years, accounts for the deficiency; and its absence is supplied by paper.*

* Whether the English commerce does not bring in money, or whether the government sends it out after it is brought in, is a matter which the parties concerned can best explain; but that the deficiency exists, is not in the power of either to disprove. While Dr. Price, Mr. Eden, (now Auckland,) Mr. Chalmers, and others, were debating whether the quantity of money in England was greater or less than at the Revolution, the circumstance was not adverted to, that since the Revolution, there cannot have been less than four hundred millions sterling imported into Europe; and therefore the quantity in England ought at least to have been four times greater than it was at the Revolution, to be on a proportion with Europe. What England is now doing by paper, is what she would have been able to do by solid money, if gold and silver had come into the nation in the proportion it ought, or had not been sent out; and she is endeavoring to restore by paper, the balance she has lost by money. It is certain, that the gold and silver which arrive annually in the register-ships to Spain and Portugal, do not remain in those countries. Taking the value half in gold and half in silver, it is about four hundred tons annually; and from the number of ships and galloons employed in the trade of bringing those metals from South-America to Portugal and Spain, the quantity sufficiently proves itself, without referring to the registers.

In the situation England now is, it is impossible she can increase in money. High taxes not only lessen the property of the individuals, but they lessen also the money capital of the nation, by inducing smuggling, which can only be carried on by gold and silver. By the politics which the British Government have carried on with the Inland Powers of Germany and the Continent, it has made an enemy of all the Maritime Powers, and is therefore obliged to keep up a large navy; but though the navy is built in England, the naval stores must be purchased from abroad, and that from countries where the greatest part must be paid for in gold and silver. Some fallacious rumours have been set afloat in England to induce a belief in money, and, among others, that of the French refugees bringing great quantities. The idea is ridiculous. The general part of the money in France is silver; and it would take upwards of twenty of the largest broad wheel wagons, with ten horses each, to remove one million sterling of silver. Is it then to be supposed, that a few people fleeing on horse-back or in post-chaises, in a secret manner, and having the French Custom-House to pass, and the sea to cross, could bring even a sufficiency for their own expences?

When millions of money are spoken of, it should be recollected, that such sums can only accumulate in a country by slow degrees, and a long procession of time. The most frugal system that England could now adopt, would not recover in a century the balance she has lost in money since the commencement of the Hanover succession. She is seventy millions behind France, and she must be in some considerable proportion behind every country in Europe, because the returns of the English mint do not shew an increase of money, while the registers of Lisbon and Cadiz shew an European increase of between three and four hundred millions sterling.—*Author.*

The Revolution of France is attended with many novel circumstances, not only in the political sphere, but in the circle of money transactions. Among others, it shows that a government may be in a state of insolvency and a nation rich. So far as the fact is confined to the late Government of France, it was insolvent; because the nation would no longer support its extravagance, and therefore it could no longer support itself—but with respect to the nation all the means existed. A government may be said to be insolvent every time it applies to the nation to discharge its arrears. The insolvency of the late Government of France and the present Government of England differed in no other respect than as the dispositions of the people differ. The people of France refused their aid to the old Government; and the people of England submit to taxation without inquiry. What is called the Crown in England has been insolvent several times; the last of which, publicly known, was in May, 1777, when it applied to the nation to discharge upwards of £600,000 private debts, which otherwise it could not pay.

It was the error of Mr. Pitt, Mr. Burke, and all those who were unacquainted with the affairs of France to confound the French nation with the French Government. The French nation, in effect, endeavoured to render the late Government insolvent for the purpose of taking government into its own hands: and it reserved its means for the support of the new Government. In a country of such vast extent and population as France the natural means cannot be wanting, and the political means appear the instant the nation is disposed to permit them. When Mr. Burke, in a speech last winter in the British Parliament, “cast his eyes over the map of Europe, and saw a chasm that once was France,” he talked like a dreamer of dreams. The same natural France existed as before, and all the natural means existed with it. The only chasm was that which the extinction of despotism had left, and which was to be filled up with a Constitution more formidable in resources than the power which had expired.

Although the French Nation rendered the late Government insolvent, it did not permit the insolvency to act towards the creditors; and the creditors, considering the Nation as the real pay-master, and the Government only as the agent, rested themselves on the nation, in preference to the Government. This appears greatly to disturb Mr. Burke, as the precedent is fatal to the policy by which governments have supposed themselves secure. They have contracted debts, with a view of attaching what is called the monied interest of a Nation to their support; but the example in France shews that the permanent security of the creditor is in the Nation, and not in the Government; and that in all possible revolutions that may happen in Governments, the means are always with the Nation, and the Nation always in existence. Mr. Burke argues that the creditors ought to have abided the fate of the Government which they trusted; but the National Assembly considered them as the creditors of the Nation, and not of the Government — of the master, and not of the steward.

Notwithstanding the late government could not discharge the current expenses, the present government has paid off a great part of the capital. This has been accomplished by two means; the one by lessening the expenses of government, and the other by the sale of the monastic and ecclesiastical landed estates. The devotees and penitent debauchees, extortioners and misers of former days, to ensure themselves a better world than that they were about to leave, had bequeathed immense property in trust to the priesthood for *pious uses*; and the priesthood kept it for themselves. The National Assembly has ordered it to be sold for the good of the whole nation, and the priesthood to be decently provided for.

In consequence of the revolution, the annual interest of the debt of France will be reduced at least six millions sterling, by paying off upwards of one hundred millions of the capital; which, with lessening the former expenses of government at least three millions, will place France in a situation worthy the imitation of Europe.

Upon a whole review of the subject, how vast is the contrast! While Mr. Burke has been talking of a general bankruptcy in France, the National Assembly has been paying off the capital of its debt; and while taxes have increased near a million a year in England, they have lowered several millions a year in France. Not a word has either Mr. Burke or Mr. Pitt said about the French affairs, or the state of the French finances, in the present Session of Parliament. The subject begins to be too well understood, and imposition serves no longer.

There is a general enigma running through the whole of Mr. Burke's book. He writes in a rage against the National Assembly; but what is he enraged about? If his assertions were as true as they are groundless, and that France by her Revolution, had annihilated her power, and become what he calls a *chasm*, it might excite the grief of a Frenchman (considering himself as a national man), and provoke his rage against the National Assembly; but why should it excite the rage of Mr. Burke? Alas! it is not the nation of France that Mr. Burke means, but the Court; and every Court in Europe, dreading the same fate, is in mourning. He writes neither in the character of a Frenchman nor an Englishman, but in the fawning character of that creature known in all countries, and a friend to none—a courtier. Whether it be the Court of Versailles, or the Court of St. James, or Carlton-House, or the Court in expectation, signifies not; for the caterpillar principle of all Courts and Courtiers are alike. They form a common policy throughout Europe, detached and separate from the interest of Nations: and while they appear to quarrel, they agree to plunder. Nothing can be more terrible to a Court or Courtier than the Revolution of France. That which is a blessing to Nations is bitterness to them: and as their existence depends on the duplicity of a country, they tremble at the approach of principles, and dread the precedent that threatens their overthrow.

CONCLUSION.

REASON and Ignorance, the opposites of each other, influence the great bulk of mankind. If either of these can be rendered sufficiently extensive in a country, the machinery of Government goes easily on. Reason obeys itself; and Ignorance submits to whatever is dictated to it.

The two modes of the Government which prevail in the world, are, *first*, Government by election and representation : *Secondly*, Government by hereditary succession. The former is generally known by the name of republic ; the latter by that of monarchy and aristocracy.

Those two distinct and opposite forms, erect themselves on the two distinct and opposite bases of Reason and Ignorance.—As the exercise of Government requires talents and abilities, and as talents and abilities cannot have hereditary descent, it is evident that hereditary succession requires a belief from man to which his reason cannot subscribe, and which can only be established upon his ignorance ; and the more ignorant any country is, the better it is fitted for this species of Government.

On the contrary, Government, in a well-constituted republic, requires no belief from man beyond what his reason can give. He sees the *rationale* of the whole system, its origin and its operation ; and as it is best supported when best understood, the human faculties act with boldness, and acquire, under this form of government, a gigantic manliness.

As, therefore, each of those forms acts on a different base, the one moving freely by the aid of reason, the other by ignorance ; we have next to consider, what it is that gives motion to that species of Government which is called mixed

Government, or, as it is sometimes ludicrously stiled, a Government of *this, that* and *t'other*.

The moving power in this species of Government, is of necessity, Corruption. However imperfect election and representation may be in mixed Governments, they still give exercise to a greater portion of reason than is convenient to the hereditary Part ; and therefore it becomes necessary to buy the reason up. A mixed Government is an imperfect everything, cementing and soldering the discordant parts together by corruption, to act as a whole. Mr. Burke appears highly disgusted that France, since she had resolved on a revolution, did not adopt what he calls "*A British Constitution*"; and the regretful manner in which he expresses himself on this occasion implies a suspicion that the British Constitution needed something to keep its defects in countenance.

In mixed Governments there is no responsibility : the parts cover each other till responsibility is lost ; and the corruption which moves the machine, contrives at the same time its own escape. When it is laid down as a maxim, that *a King can do no wrong*, it places him in a state of similar security with that of ideots and persons insane, and responsibility is out of the question with respect to himself. It then descends upon the Minister, who shelters himself under a majority in Parliament, which, by places, pensions, and corruption, he can always command ; and that majority justifies itself by the same authority with which it protects the Minister. In this rotatory motion, responsibility is thrown off from the parts, and from the whole.

When there is a Part in a Government which can do no wrong, it implies that it does nothing ; and is only the machine of another power, by whose advice and direction it acts. What is supposed to be the King in the mixed Governments, is the Cabinet ; and as the Cabinet is always a part of the Parliament, and the members justifying in one character what they advise and act in another, a mixed Government becomes a continual enigma ; entailing upon a country by the quantity of corruption necessary to solder the parts,

the expence of supporting all the forms of government at once, and finally resolving itself into a Government by Committee; in which the advisers, the actors, the approvers, the justifiers, the persons responsible, and the persons not responsible, are the same persons.

By this pantomimical contrivance, and change of scene and character, the parts help each other out in matters which neither of them singly would assume to act. When money is to be obtained, the mass of variety apparently dissolves, and a profusion of parliamentary praises passes between the parts. Each admires with astonishment, the wisdom, the liberality, the disinterestedness of the other: and all of them breathe a pitying sigh at the burthens of the Nation.

But in a well-constituted republic, nothing of this soldering, praising, and pitying, can take place; the representation being equal throughout the country, and compleat in itself, however it may be arranged into legislative and executive, they have all one and the same natural source. The parts are not foreigners to each other, like democracy, aristocracy, and monarchy. As there are no discordant distinctions, there is nothing to corrupt by compromise, nor confound by contrivance. Public measures appeal of themselves to the understanding of the Nation, and, resting on their own merits, disown any flattering applications to vanity. The continual whine of lamenting the burden of taxes, however successfully it may be practised in mixed Governments, is inconsistent with the sense and spirit of a republic. If taxes are necessary, they are of course advantageous; but if they require an apology, the apology itself implies an impeachment. Why, then, is man thus imposed upon, or why does he impose upon himself?

When men are spoken of as kings and subjects, or when Government is mentioned under the distinct and combined heads of monarchy, aristocracy, and democracy, what is it that *reasoning* man is to understand by the terms? If there really existed in the world two or more distinct and separate *elements* of human power, we should then see the several

origins to which those terms would descriptively apply ; but as there is but one species of man, there can be but one element of human power ; and that element is man himself. Monarchy, aristocracy, and democracy, are but creatures of imagination ; and a thousand such may be contrived as well as three.

From the Revolutions of America and France, and the symptoms that have appeared in other countries, it is evident that the opinion of the world is changing with respect to systems of Government, and that revolutions are not within the compass of political calculations. The progress of time and circumstances, which men assign to the accomplishment of great changes, is too mechanical to measure the force of the mind, and the rapidity of reflection, by which revolutions are generated : All the old governments have received a shock from those that already appear, and which were once more improbable, and are a greater subject of wonder, than a general revolution in Europe would be now.

When we survey the wretched condition of man, under the monarchical and hereditary systems of Government, dragged from his home by one power, or driven by another, and impoverished by taxes more than by enemies, it becomes evident that those systems are bad, and that a general revolution in the principle and construction of Governments is necessary.

What is government more than the management of the affairs of a Nation ? It is not, and from its nature cannot be, the property of any particular man or family, but of the whole community, at whose expence it is supported ; and though by force and contrivance it has been usurped into an inheritance, the usurpation cannot alter the right of things. Sovereignty, as a matter of right, appertains to the Nation only, and not to any individual ; and a Nation has at all times an inherent indefeasible right to abolish any form of Government it finds inconvenient, and to establish such as accords with its interest, disposition and happiness. The

romantic and barbarous distinction of men into Kings and subjects, though it may suit the condition of courtiers, cannot that of citizens; and is exploded by the principle upon which Governments are now founded. Every citizen is a member of the Sovereignty, and, as such, can acknowledge no personal subjection; and his obedience can be only to the laws.

When men think of what Government is, they must necessarily suppose it to possess a knowledge of all the objects and matters upon which its authority is to be exercised. In this view of Government, the republican system, as established by America and France, operates to embrace the whole of a Nation; and the knowledge necessary to the interest of all the parts, is to be found in the center, which the parts by representation form: But the old Governments are on a construction that excludes knowledge as well as happiness; Government by Monks, who knew nothing of the world beyond the walls of a Convent, is as consistent as government by Kings.

What were formerly called Revolutions, were little more than a change of persons, or an alteration of local circumstances. They rose and fell like things of course, and had nothing in their existence or their fate that could influence beyond the spot that produced them. But what we now see in the world, from the Revolutions of America and France, are a renovation of the natural order of things, a system of principles as universal as truth and the existence of man, and combining moral with political happiness and national prosperity.

"I. Men are born, and always continue, free and equal in respect of their rights. Civil distinctions, therefore, can be founded only on public utility.

"II. The end of all political associations is the preservation of the natural and imprescriptible rights of man; and these rights are liberty, property, security, and resistance of oppression.

"III. The nation is essentially the source of all sovereignty; nor can any INDIVIDUAL, or ANY BODY OF MEN, be entitled to any authority which is not expressly derived from it."

In these principles, there is nothing to throw a Nation into confusion by inflaming ambition. They are calculated to call forth wisdom and abilities, and to exercise them for the public good, and not for the emolument or aggrandisement of particular descriptions of men or families. Monarchical sovereignty, the enemy of mankind, and the source of misery, is abolished ; and the sovereignty itself is restored to its natural and original place, the Nation. Were this the case throughout Europe, the cause of wars would be taken away.

It is attributed to Henry the Fourth of France, a man of enlarged and benevolent heart, that he proposed, about the year 1610, a plan for abolishing war in Europe. The plan consisted in constituting an European Congress, or as the French authors stile it, a Pacific Republic ; by appointing delegates from the several Nations who were to act as a Court of arbitration in any disputes that might arise between nation and nation.

Had such a plan been adopted at the time it was proposed, the taxes of England and France, as two of the parties, would have been at least ten millions sterling annually to each Nation less than they were at the commencement of the French Revolution.

To conceive a cause why such a plan has not been adopted (and that instead of a Congress for the purpose of *preventing* war, it has been called only to *terminate* a war, after a fruitless expence of several years) it will be necessary to consider the interest of Governments as a distinct interest to that of Nations.

Whatever is the cause of taxes to a Nation, becomes also the means of revenue to Government. Every war terminates with an addition of taxes, and consequently with an addition of revenue ; and in any event of war, in the manner they are now commenced and concluded, the power and interest of Governments are increased. War, therefore, from its productiveness, as it easily furnishes the pretence of necessity for taxes and appointments to places and offices, becomes a principal part of the system of old Governments ;

and to establish any mode to abolish war, however advantageous it might be to Nations, would be to take from such Government the most lucrative of its branches. The frivolous matters upon which war is made, shew the disposition and avidity of Governments to uphold the system of war, and betray the motives upon which they act.

Why are not Republics plunged into war, but because the nature of their Government does not admit of an interest distinct from that of the Nation? Even Holland, though an ill-constructed Republic, and with a commerce extending over the world, existed nearly a century without war: and the instant the form of Government was changed in France, the republican principles of peace and domestic prosperity and œconomy arose with the new Government; and the same consequences would follow the cause in other Nations.

As war is the system of Government on the old construction, the animosity which Nations reciprocally entertain, is nothing more than what the policy of their Governments excites to keep up the spirit of the system. Each Government accuses the other of perfidy, intrigue, and ambition, as a means of heating the imagination of their respective Nations, and incensing them to hostilities. Man is not the enemy of man, but through the medium of a false system of Government. Instead, therefore, of exclaiming against the ambition of Kings, the exclamation should be directed against the principle of such Governments; and instead of seeking to reform the individual, the wisdom of a Nation should apply itself to reform the system.

Whether the forms and maxims of Governments which are still in practice, were adapted to the condition of the world at the period they were established, is not in this case the question. The older they are, the less correspondence can they have with the present state of things. Time, and change of circumstances and opinions, have the same progressive effect in rendering modes of Government obsolete as they have upon customs and manners.—Agriculture, commerce, manufactures, and the tranquil arts, by which the prosperity of Nations is best promoted, require a different

system of Government, and a different species of knowledge to direct its operations, than what might have been required in the former condition of the world.

As it is not difficult to perceive, from the enlightened state of mankind, that hereditary Governments are verging to their decline, and that Revolutions on the broad basis of national sovereignty and Government by representation, are making their way in Europe, it would be an act of wisdom to anticipate their approach, and produce Revolutions by reason and accommodation, rather than commit them to the issue of convulsions.

From what we now see, nothing of reform in the political world ought to be held improbable. It is an age of Revolutions, in which everything may be looked for. The intrigue of Courts, by which the system of war is kept up, may provoke a confederation of Nations to abolish it: and an European Congress to patronise the progress of free Government, and promote the civilisation of Nations with each other, is an event nearer in probability, than once were the revolutions and alliance of France and America.



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